

Order of Publication
NO. 5372 EQUITY.

The Circuit Court for Carroll County, in Equity.

T. Stoner, executor and trustee of the will of Henry A. Little, deceased, Plaintiff, vs. Joseph V. Little and others, Defendants.

The object of this writ is to procure a decree for the assumption of jurisdiction by the Circuit Court for Carroll County, in Equity, of the administration of the estate of Henry A. Little, deceased, and of the trust created by his will; and of the property in the hands of the said John T. Stoner as executor and trustee under the will of said Henry A. Little, deceased, and of the distribution and delivery of the same among the brothers and sisters of said Henry A. Little, and other the unknown brothers and sisters of said Henry A. Little, deceased, and other the several and respective unknown issue, spouses, executors and administrators of the said Henry A. Little, deceased, and of the said John T. Stoner, executor and trustee under the will of said Henry A. Little, deceased, and to have the true and lawful heirs and assigns of said Henry A. Little, deceased, ascertained and declared.

The bill states that Henry A. Little, deceased, and his will was admitted to probate the Orphans' Court of Carroll County on December 5th, 1912, and John T. Stoner, who resides in Carroll County, in the State of Maryland, was appointed the executor and trustee under said will, and duly qualified, and acted as such executor and trustee, and stated his final account as such executor and trustee of the said Frederick County on March 1st, 1921, and that the will of said Henry A. Little, deceased, after providing for the payment of debts, funeral charges and cost of administration on his estate, gave residue to said John T. Stoner in trust for the benefit of the wife of said John T. Stoner, Lydia R. Little, for life; and that the true amount of the corpus of said trust estate coming into the hands of the said John T. Stoner as trustee was \$13,623.85, of which said John T. Stoner had received and thereafter paid, to said life tenant, and the remaining \$12,698.51 was principal; and that on this principal amount the income received during the death of Lydia R. Little, widow of said John T. Stoner, was \$2577.96; and that the income since her death is \$1616, making \$3074.12 in all, of which all save \$196.16 was paid to Lydia R. Little during her life.

That since the death of the life tenant, John T. Stoner, trustee, has converted all his securities into money, and made a gain thereby of \$416.50, and transferred to Viola B. Stoner the shares of stock in the Farmers' Exchange of Union Bridge bequeathed to her, leaving \$13,065.01 of principal and \$496.16 of income in his hands for distribution; and this fund is distributable under the will of testator, under a bequest of \$400 or Trustee of the Church of the Brethren (New Side) in Heaver Dam, Frederick County, to the living brothers and sisters of testator of the whole blood, share and share alike, and in the event of the death of any brother or sister before testator leaving any child or children surviving then such share of such brother or sister to go to such child or children as if said brother or sister were living at the death of testator.

That the said John T. Stoner, trustee, has made diligent inquiry and investigation, and he finds that at the death of the testator the following brothers and a sister survived him: Joseph V. Little, Frank L. Little, William Little, Thomas Little, all non-residents of Maryland and living in Pennsylvania, and Annie Kolb, a non-resident of the State of Maryland, and living in West Virginia; and all of said living being now living and adults; and Edward Little, a brother of testator, who died since the death of Lydia R. Little, and C. E. Little, a brother of testator, who died since the death of Lydia R. Little, all of said brothers and sisters were of the whole blood.

That said Edward Little died leaving surviving him and now living the following children: Henry Little, Mark Little, Martina Breth, Minnie Heller, all non-residents of Maryland, living in West Virginia, and Paul M. Little, a non-resident of Maryland, living in Pennsylvania; but said trustee cannot say if Edward Little died testate or intestate; whether or not he was survived by a widow; whether or not his administration was had on his estate; or whether or not he has any other issue than that given.

That said C. E. Little died leaving surviving him a widow, Harriet M. Little, a non-resident of Maryland, living in Pennsylvania, and the following children: Kaylor Little and Raymond Little, both non-residents of Maryland, living in Pennsylvania; that C. E. Little died testate, and letters c. t. a. have been granted to said Harriet M. Little, who claims and demands the interest of her husband, but the contents of said will of C. E. Little are unknown to said trustee, and he does not know whether or not said C. E. Little has any other issue now surviving, nor does he know who are the distributees and legatees under the will of said C. E. Little.

That the said John T. Stoner, trustee, has set out in said bill all his information and knowledge and all persons known to him to have any possible interest in said trust property, and that he apprehends that there may be others interested unknown to him, and he is interested in said property or whose rights will be affected by the distribution or delivery of the trust estate under the will of Henry A. Little, and that these persons may be the other, if any brothers or sisters of the whole blood of said Henry A. Little, or their issue, or their personal representatives, as the case may be, and that his reasons for so apprehending is because of his not being a member of the family of testator and not having personal knowledge of his relations and family sufficient to give him the requisite information to make the distribution, and because of the non-residence of the parties it is difficult for him to ascertain the facts and that

it is impracticable for him to attempt to obtain further information, and that he is entitled to have the aid and protection of the Court in the distribution.

That it is contended by Harriet M. Little, surviving widow of said C. E. Little, that she is entitled as legatee to be paid the whole share of her said C. E. Little, notwithstanding that said trustee contends that the share is either the property of the children of the said C. E. Little, deceased, taking by way of substitution under the will, or a part of the estate of the said C. E. Little, deceased, and accordingly payable to his representative; and that similar questions are presented with respect to the distribution of other shares, and that all of such shares are subject to the payment of the collateral inheritance tax to the State of Maryland.

The foregoing bill of complaint and exhibits having been duly submitted to the Court here, and the said Court having examined the said bill of complaint and all the papers filed therewith and having been satisfied that sufficient effort has been made by John T. Stoner, executor and trustee under the will of Henry Augustus Little, deceased, to ascertain whether there are persons living unknown to said executor and trustee as aforesaid or who may be interested in the trust estate and property as aforesaid or whose rights would be affected by distribution or delivery thereof, and the Court being first satisfied that all other necessary things have been done, it is thereupon this 31st day of March, 1922, by the Circuit Court for Carroll County, sitting as a Court of Equity, ordered that the said John T. Stoner, executor and trustee under the will of Henry Augustus Little, deceased, be and he is hereby directed to give notice by publication to such absent and non-resident defendants and to such supposed unknown persons, whether they be residents or non-residents of the State of Maryland, of the substance and object of said bill of complaint, and warning them in this Court to appear on or before the third day of July, 1922, in person or by solicitor, to show cause, if any they have, why the relief prayed for should not be granted; and it is hereby further directed that the said notice shall be published once in each of four successive weeks before the first day of May, 1922, in some weekly newspaper printed and published in Carroll County, Maryland.

WM. H. THOMAS, Chief Judge, etc.

True Copy Test: Edwin M. Mellor, Jr., Clerk. mar31-5t

MORTGAGEE'S SALE
OF A VALUABLE FARM
Near Louisville, Carroll County, Md.

By virtue of the power and authority contained in the Real Estate Mortgage from Lee F. Ward and Alsie May Ward, his wife, to Lewis W. Caple, dated February 24th, 1917, and recorded among the Real Estate Mortgage Records of Carroll County in Liber E. O. C., No. 68, folio 475, etc., the undersigned mortgagee will sell at Public Sale on the premises, one mile from the State Road, at Louisville, in the Fourth Election District, in said County, at 2 P. M. on SATURDAY, APRIL 22nd, 1922, all that farm, containing 81 ACRES AND 31 SQUARE PERCHES OF LAND, more or less, improved by a TWO STORY LOG DWELLING HOUSE, new bank barn, wagon shed, hen house and other outbuildings, with elegant spring, and running water at the buildings. The land is in a high state of cultivation, with a due proportion of meadow and wood land. This farm is located adjacent to the lands of Harry Williams, David N. Leister, Ray Bitzel and others. For further particulars, inquire of the undersigned or Michael E. Walsh, attorney, Westminster, Maryland.

Terms of Sale:—One-third cash upon day of sale, or the ratification thereof by the Court; the balance in two equal payments, the one in six and the other in twelve months from the day of the sale, or all cash at the option of the purchaser; the purchaser will be required to pay \$200.00 cash on the day of sale; the credit payments to be secured by the notes of the purchaser with approved security.

LEWIS W. CAPLE, Mortgagee. Michael E. Walsh, Solicitor. mar31-ts

FOR SALE. A fine lot of Straw, Fodder and Timothy Hay. Apply to THEO. H. BIGGS, Route No. 2, Westminster, Md. mar31-2t

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Drug Habits and Suicides Increasing. We see all around us that suicides are increasing at an alarming rate. The drug habit is increasing in a secret way, several millions now being addicted to the habit. All classes of people are included from the millionaire to the working girl in the factory. It is little wonder that many strange and wonderful things happen, when so many willingly abuse their bodies and dull the brightest parts of their brains?

CREAGERSTOWN, MAKES CLAIM AS BIRTHPLACE OF LUTHERAN CHURCH IN STATE OF MARYLAND

Creagerstown, in Frederick county, lays claim to being the birthplace of the Lutheran church in Maryland. Records showing that the first church of the denomination in the state being established at Monocacy, about a century ago. This and other interesting facts are brought out in an historical article concerning Creagerstown. It appears that the town failed to receive mention in the local papers when sketches were printed during the last year of various places in the county and consequently space is given today to an article on Creagerstown.

Creagerstown is situated 12 miles north of Frederick city, the county seat, it being the 4th Election District of Frederick county, and formerly comprised parts of Lewistown, Woodshoro and Mechanicstown election districts, the voters coming as far as fifteen miles to vote.

The early settlers were mostly of German descent. They settled at a point about one mile south of Creagerstown, named Monocacy, and at this point the first Lutheran church was established in Maryland, and second oldest in America. History says that there were three or four houses, and some scattered settlements in 1733.

Rev. Stover served as pastor of the Monocacy church. In 1747 Rev. Schlatter, a Reformed minister united with the Rev. Muhlenberg the head of the Lutheran church, and organized a union of Lutheran and Reformed churches. Later a union church was built about twenty feet west of where the Reformed church now stands. In 1834 the present Reformed church was built, then a union church.

In 1908 the Lutherans withdrew from the union and built the present Evangelical Lutheran church. The Reformers bought their interest in the union church and have remodeled same, which stands on the old site. The town has three churches, Lutheran, Reformed and Church of God, the latter being built of stone given by Benjamin Rutzahn, being stone from an old distillery on his farm between Creagerstown and Rocky Ridge owned at present by John S. Long.

The land where Creagerstown stands was owned by a man named John Creager, from whom its name is derived in 1760. In 1770 this land was laid out in building lots, this being before the Revolutionary war.

Jasper Groshon is the only soldier living in Creagerstown district that was in active service in the Civil war, he being 80 years of age.

In 1775 the first log house was standing at present on the old site, though it has several times been remodeled. It also still belongs to the Kolb family (his Isaac Kolb) descendants.

The town is very pleasantly situated between Frederick and Emmitsburg, and in the time of the Stage coach, was the stopping point for travelers, being the place where the stage drivers would change their horses.

History gives that even in the days of Muhlenberg and Schlatter, when they traveled to Frederick they would return to Creagerstown for their quarters as the town had far better accommodations. At that time every road being a dirt road.

Today they are much improved by a hard road from Frederick to Gettysburg by the way of Thurmont. Except 1 1/2 miles, yet to be built, which it is expected will be built in the near future.

Among the early industries which supported the village was a large tannery established in 1785 and at an early date about three-quarters of a century ago the German people built a brewery in what is now the Bell home.

On June 2nd, 1914 Creagerstown was swept by a very disastrous fire, burning the homes of Geo. Stevens, B. F. Bell, Valley Home Hotel, of C. L. Valentine, Krise Hotel, I. L. Hankey, Mrs. J. Grindler, L. E. Miller, Geo. Hann, all of which fortunately have been rebuilt except four, among them being the Krise Hotel site, which has been mentioned as being a great stage center in earlier days.

Preparations are now being made for the incorporation of the Cemetery, which is said by botanists to contain one of the largest and most beautiful Arbor Vita trees that grows.

The town is also lighted with electricity which is a great improvement.

FLIERS FOR GETTYSBURG FLEET OF AIRPLANES TO FIGURE IN MANEUVERS OF MARINES.

Gettysburg, Pa., April 9.—As the result of an inspection of open areas on the Gettysburg battlefield, Captain Davis, of the Army Air Service, will recommend the selection of this as the site for the maneuvers of the Marine Corps in June. He estimated that about 4000 marines would take part and that they would be in camp for 10 days. One of the features of the demonstration will be the cooperation

of a fleet of airplanes. Men will be detailed here several weeks before the opening of the camp to make preliminary arrangements, and communication by air will be established with the station at Occoquan, Va. The main body of marines will march here from Occoquan, starting late in May. The maneuvers last year attracted visitors from many sections and this year will be conducted on fully as interesting a scale as in 1921, when Manassas was chosen. The town will co-operate in the preliminary work. It is equipped to furnish water and other necessities, having had ample experience with this sort of thing for National Guard and other entertainments.

COLBY WINS DEBATE

Colby College, of Maine, which has made a cross-country debating tour, meeting 11 of the large Eastern schools and winning nine, clashed with Blue Ridge Friday night. The question discussed was: "The Principle of the Closed Shop is Justifiable." Blue Ridge upheld the affirmative, Colby the negative. Colby secured the decision from the judges, Mr. A. Brown, Dr. C. Forlines and Superintendent M. Unger. The speakers for Colby were F. Royal, L. Mays and C. Wolstenholme; for Blue Ridge, M. Coffman, N. Wilson and M. Murph. Blue Ridge will engage Elizabethtown College in debate on the same subject April 28.

ST. JOHN'S COLLEGE TRIPS BLUE RIDGE

St. John's College won its third straight game of the season at New Windsor, Saturday afternoon from Blue Ridge College in a one-sided contest, 15 to 4.

The game was featured by the hard hitting of the visitors, who made 20 clean hits, and the pitching of Tall, who held the New Windsor team scoreless after the second inning, when he relieved Gray.

St. John's scored in every inning but the second, third and sixth. Puller, Engleke, Porter and Brown gathered 14 of the 20 hits made by the St. John's.

Smith, the local second baseman, brought the fans to their feet by going into right field, for Porter's line drive in the ninth inning. Brown, St. John's center fielder, ran far back to get Bunn's line drive, which had all the earmarks of a three-bagger.

After looking at this bonus question, we can't figure out whether it's the soldier or the taxpayer that's the hero.—Manila Bulletin.



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