

492

Land Court Case  
L54177

Ermy R. Munyon Jr.  
Marska E. Munyon, Petrs.  
vs.

Brogg. Francis Est.

Bill of Complaint - Nov. 8 - a  
Final Decree - Oct 16 - b

1968

LINE OF IPSEI OMI KNOWLEDGE, except as to matters stated on information  
being petition and know the contents thereof, and that the same is  
and Marya E. Minkov, and made oath that they have read the fore-  
then personally exhibited the above named Emory R. Minkov, Jr.  
INDETERMINED, 22

COMMONWEALTH OF MASSACHUSETTS

MARCH 8, 1968

12 / MARYA E. MINKOV

12 / EMORY R. MINKOV, JR.

Rec'd Oct. 16, 1968  
492-A-M

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS.

LAND COURT  
IN EQUITY  
NO.

EMERY R. MUNYON, JR. and  
MARSHA E. MUNYON  
Petitioners

vs.

THE HEIRS, DEVISEES, ADMINISTRATORS or  
EXECUTORS OF FRANCIS BRAGG, late of  
Milford, Worcester County, Massachusetts  
Respondents

BILL OF COMPLAINT TO REMOVE CLOUD FROM TITLE

1. Petitioners are owners and in possession of certain premises situated on the easterly side of Bates Street, Mendon, Worcester County, Massachusetts, deriving title from Jean Hope McTurk Boyer, by deed dated August 29, 1967, recorded with Worcester District Deeds, Book 4812, Page 507, a copy of which deed is hereto annexed and made a part hereof.
2. That title to said premises is derived from Mary Hall and her husband, Robert Hall, who died intestate respectively on September 30, 1890 and October 10, 1890, said Mary Hall leaving as her only heirs her said husband, Robert Hall, and three children, namely, Mary Hall, Margaret Hall and Agnes Jane Hall; and said Robert Hall leaving as his only heirs, said three children above named.
3. That said daughter, Mary Hall, was married to Francis Bragg, who survived her on her death on May 21, 1906; that there were no children of said marriage; that her estate is probated in Worcester County Probate Court, Case No. 38035; that her interest in locus was not inventoried nor has the probate of said estate been completed; that it does not appear from said probate records that said estate exceeded \$5,000.00; that no claim was made by or on behalf of said Francis Bragg for his statutory share of said estate; that your petitioners believe and therefore aver that further proceedings in said estate cannot now be undertaken; that failure to determine value of said estate leaves in doubt whether or not some interest in said premises passed to said Francis Bragg, and creates a cloud upon said title.
4. That said Margaret A. Hall and Agnes Jane Hall, sisters of said Mary (Hall) Bragg, occupied said premises continuously, openly and adversely to any rights of said Francis, or his heirs or devisees, until their respective deaths, in 1945 and 1948, and thereafter said premises were occupied by Mary F. Brown, daughter of said Margaret A. (Hall) Brown until 1957 when she deeded to petitioners' grantor.
5. That failure to complete probate of the estate of said Mary (Hall) Bragg creates a cloud on said title.

WHEREFORE YOUR PETITIONERS PRAY:

1. That respondents be cited to appear and establish any title or claim that they may have to said premises, if any.

DOCUMENT No.

485-3

*Handwritten notes on the right margin, including "10/10/1968" and other illegible scribbles.*

2. That decree be entered establishing Petitioners' title to the interest of Mary E. (Hall) Bragg, by adverse possession.

3. That decree be entered forever barring Respondents from claiming any interest in said premises.

4. That such other decrees be entered as to the Court seem meet in the premises.

/S/ Emery R. Munyon, Jr.  
Emery R. Munyon, Jr.

/S/ Marsha E. Munyon  
Marsha E. Munyon

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, SS.

March 8,

1968

Then personally appeared the above named Emery R. Munyon, Jr. and Marsha E. Munyon, and made oath that they have read the foregoing petition and know the contents thereof, and that the same is true of their own knowledge, except as to matters stated on information and belief, and as to those matters, they believe to be true, before me,

/S/ Thelma F. Bullard

Thelma F. Bullard - Notary Public

My commission expires Sept. 22, 1972

A TRUE COPY  
NOTARY PUBLIC

*Handwritten signature of Raymond R. Gregory*

NOTARY RECORDED

DOCUMENT No.

492-b

No. 54177

Misc.  
in Equity

**FINAL DECREE**

IC D-9. 3M-4-66-942431

Rec'd. Oct. 16, 1968  
at 9-h.A.M.

(seal)

# COMMONWEALTH OF MASSACHUSETTS

LAND COURT

Case No. **54177** Misc. in Equity

**Emery R. Munyon, Jr.  
and  
Marsha E. Munyon**

vs.

**Any heirs, devisees or legal representatives  
of Francis Bragg**

## FINAL DECREE

This case came on to be heard and was argued by counsel, and John M. Shea, Esquire, having been appointed guardian ad litem to represent any heirs, devisees or legal representatives of Francis Bragg, and for all persons not in being, unascertained, unknown or out of the Commonwealth, who may have an interest, and having assented to the entry of the decree as prayed for, therefore, it is

ORDERED, ADJUDGED and DECREED that the plaintiffs are the owners of a certain parcel of land situate in Mendon, in the County of Worcester and said Commonwealth, more particularly described in a deed from Jean Hope McTurk Boyer to the plaintiffs, dated August 29, 1967, duly recorded in the Worcester Registry of Deeds in Book 4812, Page 507; and that they hold their title free and clear of the cloud created by the absence of a determination of value in the probate of the estate of Mary (Hall) Bragg, having acquired their title by adverse possession.

By the Court.

Attest:

**Maynard R. Gregory**

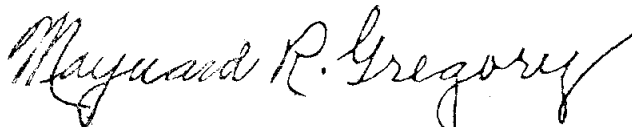
A TRUE COPY,  
ATTEST

**Deputy**

*Recorder*

Dated: **October 16, 1968**

eh



DEPUTY RECORDER