

day of January 1855 unless Cause to the contrary be shown or or before said day, and provided a Copy of this Order be published in some Newspaper printed in Frederick once a week, for three successive ~~first~~ weeks before the said fifth day of January

Eclw^d. Shmied ck of Circuit Court
For Frederick County

Frederick January 10 1855 I hereby Certify that the annexed Order was published in the Union once a week, for three successive weeks prior to the 5th day of January - 1855
J. C. Davis Printer

The following exceptions were filed Dec^r 29 1854

Gumes } N^o 2506 Equity In the Circuit Court for Frederick County sitting as
" } a Court of Equity To the Hon^{ble} Mason Nelson Judge of Circuit Court
Elder et al } for Frederick County, in Equity Ellen Corsten one of the parties interested
in this Cause, the daughter of Thomas Elder dec^d who has since intermarried with -
George Cox prays leave to except to so much of the Report of the Auditor, filed in
this Cause as refers to and allows the Claim of Thomas Elder for four hundred
and thirty dollars marked N^o 6 Because 1st The said Claim has not now nor ever
has had any legal existence nor has the said Thomas Elder ever had, and has not
now any Claim against his fathers Estate for any such Consideration as is stated in
said Claim The alleged indebtedness exists blood neither in Law Equity nor fact
2^d Because a Considerable portion of the amount of said Claim and several
items are barred by the Statute of Limitations

3rd Because the said Claim is not proved in such manner as to authorize this Court
to allow it against the Estate of Thomas Elder dec^d and in derogation of the rights
of your exceptant
Bradley Y Johnson Soller
For Ellen Cox

Also the following Exception was filed Jan^y 5 1855.

To the Hon^{ble} Mason Nelson. Judge of the Circuit Court for Frederick County sitting
in Equity Thomas G Elder one of the parties, interested in the suit, appearing in your
Hon^{ble} Court and marked N^o 2506 upon the Equity Docket begs leave to except to so
much of the audit filed in this case as refers to, and allows the Claim of John Watty
for Ten Dollars and Twenty five Cents for the following Reasons That the said Claim of
the said John Watty, for Ten Dollars and Twenty five Cents never had any existence;
and that the Estate of the late Thomas Elder dec^d never was and is not indebted
unto the said John Watty in such sum of Ten Dollars and Twenty five Cents or in any
other sum whatever
Wm. J. McClellan F. J. Nelson
Soller for Exceptant

Whereupon the following Order was passed

Ordered this 10th day of January 1855 that the aforesaid Report of the Auditor except so far
as relates to the Claim of Thomas Elder Jr marked N^o 6 and the Claim of John Watty
N^o 29 be and the same is hereby finally satisfied and Confirmed, no Cause to the contrary
having been shown although Notice has been given in Conformity with the foregoing
Order and the Justice is hereby directed to pay out the funds received by him, according
to the said Report of the Auditor except the said Claims N^o 6 & 29 which are referred to the
Auditor, with Directions to take such proof as may be produced before him by any of
the parties, and to Report said proof and his proceedings thereupon to this Court for its
further Order
M Nelson

Thereupon the following Testimony was Taken,

To the Hon^{ble} M Nelson Judge of the Circuit Court for Frederick County in Equity In Com-
pliance with the Order referring back to me the Auditors Report with Instructions