

reported. I have then allowed costs, Commission and vouched expenses and distributed residue according to instructions of Solicitor.

Mad. Nelson Auditor
March 31st 1865.

Jerry G. Rice & wife
James Rice & wife & others
Benjamin Rice and others

No 3165 Equity.

In the Circuit Court for Frederick County, sitting in Equity,
February Term 1865.

Ordered this 31st day of March 1865 that on the 25th day of April next the Court will proceed to act upon the auditor's report this day filed in the above cause, unless caused to the contrary he shew; provided a copy of this order be inserted in some newspaper published in Frederick County, for two successive weeks prior to said day.

Mad. Nelson Clerk of the
Circuit Court for Frederick County.

Jerry G. Rice and others
Benjamin Rice and others

No 3165 Equity.

In the Circuit Court for Frederick County as a Court of Equity
February Term 1865.

Objections to
the
Auditor's Order

The Hon. Madison Nelson Judge of the Circuit Court for Frederick County, as a Court of Equity.

Catherine A. L. Rice, widow and devisee of George B. Rice, by John B. Lynch her attorney objects to the audit made and filed in this cause on the 31st day of March A. D. 1865, for the following reasons: 1st Because Benjamin Rice, a son of the said Jerry Rice dec^d on the 7th day of October in the year 1848, by a good and lawful deed, conveyed all his interest in the property devised to be sold in this case, to his brother George B. Rice as will appear by a Certified Copy of said deed, herewith filed as a part of this objection, marked Exhibit B. B. C. and that said George B. Rice, prior to his death in the year 1849, by a good and lawful last will and testament, devised all his interest in the said property to the said Catherine A. L. Rice, as will appear by a Certified Copy of said last will, herewith filed and marked Exhibit A. A. C.

And the said Catherine A. L. Rice is advised that the one thirteenth of the proceeds of the sales of said real estate, distributed to the said Benjamin Rice, should have been audited her instead of to the said Benjamin Rice; and she therefore prays your Honor to pass an order in this case, requiring the papers and proceedings in this cause to be again referred to the auditor, directing him to state another account, distributing to said Catherine A. L. Rice, the share or portion of said funds heretofore audited to the said Benjamin Rice, and to allow the Auditor such additional necessary and proper costs as may be taxed by the Clerk.

John B. Lynch
Atty for Objector

Jerry G. Rice and others
Benjamin Rice and others

No 3165 Equity.

In the Circuit Court for Frederick County as a Court of Equity,
February Term 1865.

The foregoing objection, petition and Exhibits have been read and considered, it is therefore this 25th day of April A. D. 1865, by Madison Nelson Judge of the Circuit Court aforesaid, and by the authority of this Court, ordered, assigned and decreed, that the papers and proceedings in this cause be, and the same are hereby again referred to the Auditor of this Court, and he is hereby directed to state a second account, and to distribute to the said Catherine A. L. Rice, that share or portion of said trust funds heretofore audited to the said Benjamin Rice; and to allow the Auditor

Exhibit B. B. C.