

That they admit that said John Fogle of H. was indebted to some extent in his life-time, but they deny that he was indebted to the amount alleged in said Bill of Complaint. —

That these Defendants as at present advised deny that the personal estate of said John Fogle of H. is insufficient to satisfy all his just indebtedness. — That one year has not elapsed since the granting of Letters Testamentary as aforesaid to said Nicholas Fogle, and that said Fogle has not yet passed any account in the course of administration the personalty of said John Fogle in the Orphans Court for Frederick County; and that these Defendants deny that the Inventory of the personal property of said John Fogle filed in said Court, contains a full and complete list of said John Fogle's personal property; and that proceedings are now pending in said Court on Petitions of these Defendants for a larger return of said property by said Nicholas Fogle, and seeking to hold him chargeable for the same. —

And these Defendants pray that they may be hence dismissed with their reasonable costs in this cause sustained; And, in duty bound &c. —

Filed July 29th 1867

John Ritchie
Sols. for Defendants

Wm Perry & Mary Perry
Recommend of John Ritchie
for Trustee

August the 4th 1867. — I William Perry and Mary Perry my wife, the daughter of John Fogle, deceased, both agree and sign our names to this paper, that Mr. Ritchie shall use our names if necessary, as we are satisfied with the other heirs that he shall sell the Farm. —

William Perry
Mary ^{her} Perry
mark

John W. Barwick vs
Nicholas Fogle &c
No. 3355 Equity Docket —
In the Circuit Court for Frederick County sitting
in Equity —
To the Hon. Mr. Nelson Judge of the Circuit Court
for Frederick County, sitting as a Court of Equity —

The undersigned being at Law of John Fogle of H. deceased, and otherwise as Creditors so interested in his Estate, should your Honor decree the premises, in said cause mentioned, to be sold; do strenuously object to the Application of Nicholas Fogle to be appointed Trustee to sell the Land prayed to be sold in said cause, and respectfully pray the appointment of John Ritchie of said County to said Trusteeship —

Filed July 29th 1867

William Fogle. and Marked Fogle &
John M. Kenny Catharine Kenny ^{sur}
John Fogle of H. and Elizabeth ^{her} Fogle
Fredrick Fogle Abacker ^{his} Fogle
Jacob Her of J. ^{mark}
Mrs. Susan Her ^{mark}
^{mark}
^{mark}

Amended Answer
of Wm Fogle et al

John W. Barwick et al
vs
Nicholas Fogle et al
No. 3355 Equity —
In the Circuit Court for Frederick County
sitting as a Court of Equity —
To the Honourable Madison Nelson, Judge
of the Circuit Court for Frederick County sitting
as a Court of Equity.

The Amended Answer of William Fogle, Margaret Fogle
John W. Kenny, Catharine Kenny, John Fogle of H., Elizabeth Fogle, Fredrick