

Nicholas Fogle's
Exceptions

Barwick J In Equity
as
Fogles J Nicholas Fogle Ex^r of the will of John Fogle of Henry - Excepts
to the claim of Jacob Alex of A allowed by the Auditor in said case, for
the following Causes. -

1st Because the note, and Cause of action filed in this Cause is not duly stamped according to law

2nd Because the said Jacob Alex of A is indebted to the Estate of said John Fogle of Henry, in an amount Equal to, or Exceeding his Claim as filed, for money paid by said John Fogle of H, in his life time as security for said Jacob Alex of A to W^m Maulsby Esq - Which Claim is not deducted from the Claim allowed said Alex - Wherefore, the said Nicholas Fogle of H, Executor of said John Fogle of H, Excepts to the Allowance of said Claim, and prays that the same be not allowed -

Filed Feb'y 11th 1868 -

William Ross Solicitor
for Exceptant

Answer of Defendant
to Exceptions of Plaintiff

Barwick et al
as
Fogle J N^o 3355 Equity Decket -
In the Circuit Court for Frederick County sitting
in Equity -

Jacob Alex as to the Exceptions filed in said Cause by Nicholas Fogle, Executor of the Last Will of John Fogle of Henry, to the Claim of this Respondent allowed in the Auditor's Report in said Cause, for answer thereto, as to the first exception, says, that at the time of the execution of the said Cause of Action & promissory note by John Fogle of H, a Stamp was required to be thereto affixed by law -

And to the second Exception says, that this Respondent was not indebted to said John Fogle of H, as alleged; And for further answer to said second exception, further says, that this Respondent fully indemnified, paid and satisfied said John Fogle of H for any and all moneys he may have paid to W^m P. Maulsby as security for this Respondent -

Filed April 28th 1868 -

John Ritchie
Solicitor for Complainant

Audit

Statement of John Ritchie and Nicholas Fogle Trustees in N^o 3355 Equity and the Creditors of John Fogle of H, in Cir. Court for Frederick County -

To	Amount of Trust funds reported		\$	3300.00
"	Trustees usual Commissions	129.00		
"	Charles Mantz Clerk's fees	26.08		
"	Solict ^r for Complainant. Appearance fee	10.00		
"	" " Defendant " "	10.00		
"	Register McLean	14.64		
"	Sheriff Tabler	7.00		
"	Frederick J. Nelson Auditor's fee	13.52		
"	Trustee to publish Order nisi	2.00		
"	" " Notice to Creditors	2.00		
"	William J Ross filing Bill	30.00		
"	Trustee paid printing Voucher N ^o 1	9.50		
"	" " Taxes 1867 " " 2	13.16		
"	" " Auctioneer " " 3	8.33	275.81	
	Leaving for distribution among Creditors	275.81	3024.14	
	Amounts Carried Forward			

Order Nisi

Trustee's Cert

Order of Ratification
Except as to claim
N^o 5