

No. 4430 Equity

and voluntarily, and without being induced to do so, by fear or threats of or ill usage by their Husbands, or by fear of their displeasure, declared, and said that they did

In testimony whereof, I hereto subscribe my name, on the day and year aforesaid.

John Smith of Md.

State of Maryland, Fredk County, Set:

I hereby certify that the foregoing is a true copy of the Original Record as found Recorded in Liber E. S. No. 7, Folio 206 D; one of the Land Records of Fredk County.

In testimony whereof, I hereto subscribe my name, and affix the Seal of the Circuit Court for Fredk County this 28th day of October, A. D. 1878
Thomas Gorsuch, Clerk.



Filed Nov. 13, 1878

In the Orphans Court of Frederick County
To the Honorable the Judges of the Orphans Court of Frederick County.

The Petition of Manuel Isaac Sler and Lydian Ann Sler of Frederick County, in the State of Maryland, respectfully shows that heretofore, to wit: On or about the _____ day of _____, in the year Eighteen hundred and seventy eight, a certain paper writing purporting to be the last Will and Testament of Nicholas Fogle, late of said County deceased, was presented to this Court for probate, and was probated as and for the last Will and Testament of the said Nicholas Fogle: - That the said paper writing though so purporting to be said decedent's last Will and Testament, and though so probated as aforesaid, is not in fact the true last Will and Testament of said Nicholas Fogle.

Petition of N. J. Christen
Exhibit

Your Petitioners charge that said paper writing so as aforesaid purporting to be said last will and testament of said Nicholas Fogle was obtained by the undue influence, importunities, and fraud of David Fogle, Nicholas Fogle, and others, and was not the free and voluntary act of the said decedent.

Your Petitioners further charge that by reason of the mental condition of the said Nicholas Fogle, at the time of the execution of the alleged last Will and Testament the said Nicholas Fogle, was not capable of making a valid deed or contract, and not competent to execute a valid last Will and Testament. That in and by said last Will and Testament, so as aforesaid, purporting to be the last Will and Testament of the said Nicholas Fogle, sundry devises and bequests were made to the following parties to wit: To Nicholas Fogle Jr. who has since died leaving four children, viz Charles Fogle, Fogle, Fogle, and Fogle; Peter Fogle Mrs. Susan Lippy, wife of John Lippy; Catherine Becker wife of Mathias Becker; Mrs. Margaret Arnold, wife of Thomas Arnold; Michael Fogle and your Petitioner Lydian A. Sler.

Your Petitioners charge that said paper writing so as aforesaid purporting to be the last Will and Testament of said Nicholas Fogle is not in fact his will because: -
1. The same was obtained by the fraud and undue influence of the said David Fogle and other parties,