

No. 4915 Equity

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity

The Bill of Complaint of Jonas Urner of Frederick County respectfully shews unto your Honors that Lydia Fogle late of Frederick County died intestate sometime about the month of May in the year Eighteen hundred and Eighty three being at the time of her death indebted to your Complainant by the joint and several promissory note of herself and Charles H. Sweeney dated the 7<sup>th</sup> day of March A.D. 1877, payable twelve months after date for one hundred and seventy five dollars, with interest from date that sundry payments have been made upon said note and there is now due your Complainant from said Lydia Fogle on said note the sum of seventy five dollars with interest from the 1<sup>st</sup> day of July A.D. 1883; that said Lydia Fogle died leaving no personal property, at least not sufficient to pay the debts, but did seized and possessed of a house and lot in Farmersville in Frederick County conveyed to her by Lydia A. Blessing by deed a copy of which is filed herewith marked Exhibit No. 1. and which with all other Exhibits herewith filed is prayed to be taken as part of this Bill of Complaint as fully as if here inserted in words and figures. and your Complainant who files this bill as well for himself as for all other creditors of said Lydia Fogle who may come in and contribute to the expenses of this suit is advised and charges that he is entitled to have said real estate sold for the purpose of paying the debts of said Lydia Fogle.

And your Complainant further charges that said Lydia Fogle died leaving the following as her only children and heirs at law viz:

- 1<sup>st</sup> John H. Fogle a son, who is an adult and resides in Frederick County and is married his wife being named Genia A. Fogle
- 2<sup>nd</sup> Dennis H. Fogle a son and adult, who is married, his wife being named Elizabeth Fogle
3. Jacob E. Fogle, a son & adult who is married, his wife being named Emily Fogle
4. Mary E. Fogle, a daughter and adult
5. Ann Sophia Metzger a daughter and adult and who is married to Levi Metzger.
6. Franzanna Gainard, a daughter & adult and who is married to Thomas Gainard
7. Charles P. Fogle a son and adult
8. Alice Blessing a daughter and adult and who is married to Newton Blessing

That all of said heirs at law and parties live in Frederick County Maryland with the exception of Franzanna Gainard and Thomas Gainard her husband who live in Somerset County in the State of Pennsylvania

In tender consideration whereof and for that your Complainant is remediless in the premises by the strict rules of the common law and recoverable only in a Court of Equity where matters and things of this nature are properly cognizable To the end therefore that said John H. Fogle and Genia A. Fogle his wife, Dennis H. Fogle and Elizabeth Fogle his wife Jacob E. Fogle and Emily Fogle his wife Mary E. Fogle, Levi Metzger and Ann Sophia Metzger his wife, Thomas Gainard and Franzanna Gainard his wife, Charles P. Fogle and Newton Blessing and Alice Blessing his wife may answer fully and particularly the matters and things hereinbefore charged, and that said real estate or so much thereof as may be necessary may be sold for the purpose of paying the