

No 4915 Equity

Jonas Urner

vs

John W Fogle & others

No 4915 Equity

In the Circuit Court for Frederick County

Sitting as a Court of Equity

John W Fogle one of the debtors and heirs at law of Lydia Fogle late of Frederick County deceased, objects to the ratification of the audit filed in the above case so far as it allows the claims of Dr H. C. Devilbiss Wm Garber, Mary E Fogle and Charles D Fogle filed respectively and allowed as Nos 6, 8, 9, 11 & 12 for the following reasons

objections to Ratification

1<sup>st</sup> Because there was not due and owing the said Dr H. C. Devilbiss by the said Lydia Fogle at the time of her death the said sum of twelve dollars and seventy five cents or any portion thereof

2<sup>d</sup> Because there was not due and owing the said Mary E Fogle by the said Lydia Fogle at the time of her death the said sum of sixty dollars and ninety five cents or any portion thereof or the claim filed as No 9 and for the further reason that the claim is barred by the statute of limitations

3<sup>d</sup> Because there was not due the said William Garber by the said Lydia Fogle at the time of her death the said sum allowed him in said audit or the money mentioned in his claim No 8 and for the further reason that said claim is barred by the statute of limitations

4<sup>th</sup> Because there was not due the said Charles D Fogle by the said Lydia Fogle at the time of her death the amounts of money allowed him in said audit or any portion thereof or the amounts mentioned in claims Nos 11 & 12 and for the further reason that the same are stale and barred by the statute of limitations

McClintock Urner

John C. Miller

Filed December 19, 1884

Sol for objector

Jonas Urner

vs

John W Fogle

No 4915 Equity

In the Circuit Court for Frederick County

November Term 1884

Ordered by the Court this 19<sup>th</sup> day of December A.D. 1884, that the foregoing report of the auditor be and the same is hereby ratified and confirmed except as to the allowances upon claims Nos 6, 8, 9, 11 & 12 which have been excepted to, notice having been duly given as required by the foregoing order and no cause being shown to the contrary except as to said claims 6, 8, 9, 11 & 12 and the Trustees are authorized to pay out the money accordingly, so far as this audit is hereby ratified, and said claims excepted to are reserved for the further order of the Court

John T. Sporch

John T. Benson

Judges of the Circuit Court