this Commission, close under your hand and Seal, into the Court as a Court of Equity with all convenient Speed. Witness, the Honorable Madison Nelson, Judge of our said Court, Ninth day of February Anno Domini 1863. Issued the 28th day of May 1863.

Lynch

B. G. Fitzhugh Clerk

Commissioner's Oath

You shall, according to the best of your Skill and knowledge, truly, faithfully, and without partiality to any or either of the parties, take the Examinations and depositions of all and every witness and witnesses produced and Examined by virtue of the Commission hereunto annexed, upon the interrogatories now, or which may hereafter, before the said Commission is closed, be produced to and left with you, by either of said parties.—

So help you God.

Clerk's Oath

You shall truly, faithfully and without partiality to any or either of the parties in this cause, take write down, and transcribe, the depositions of all and Every the witness and witnesses produced and and Examined by the Commissioner named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down and transcribe the said depositions, or any of them,

So help you God.

Interrogatory.

James Bartgis & others
as
Robert Bartgis & others } No. 3091 Equity In the Circuit Court for Frederick County, in Equity, February Term 1863.
Complainants Interrogatories

1st— Do you know the parties to this suit? if so, which of them are under age, and which over age, and where do they reside,

2d— Is Mathias E. Bartgis dead and when did he die? and is his wife dead? when did she die,

3d— What children did he leave, what are their names? who of them are dead, and where do living reside,?

4th When did Jno. M. Bartgis die and how many children did he leave, what are their names and ages, and where do they live? what is his widow's name and where does she live?

5th When did Dewit C. Bartgis die and how many children did he leave, what are their names and ages and where do they live? what is his widow's name and where does she live?

6th Do you know the real Estate left by said Mathias E. Bartgis, being part of Lot Number thirty Eight in Fredericktown and described in Exhibit A.?

7th Is said real Estate susceptible of partition among the aforesaid children of said Mathias E. Bartgis, if you think not give your reasons for the same,

8th Would it be greatly to the advantage of all the parties to have said land sold, and the money divided among them? if so, give your reasons therefor?

John A. Lynch
Sol. for Complaints

Testimony

At the Execution of the annexed Commission issued out of the Circuit Court for Frederick County, and to me directed and empowering me to Examine evidences in the cause therein depending, between James Bartgis and wife and others, as Complainants and Robert Bartgis and others as defendants, I, William B. Nelson, Commissioner therein named did on the first day of June Eighteen hundred and Sixty three, at my office in Frederick City, Maryland, in the presence of the Complainant's Solicitor, proceed to take the following depositions, to wit—

David M. Lambert, a witness of lawful age produced on the part of the Complainants, being duly Sworn and Examined to interrogatories filed with the Commissioner by the Complainants,