

Common Notice

Benjamin Lauer Sr &
Ellen McLauer, his wife

vs
Mary Schmeltzer
Daniel B D Smeltzer et al.

No 3306 Equity

In the Circuit Court for Frederick County, as a
Court of Equity ~

The undersigned Commissioners appointed by
the Honorable Madison Nelson Judge of the Circuit
Court for Frederick County, as a Court of Equity to value
and divide the real estate of Daniel Smeltzer, late of Frederick County, deceased accor-
ding to the provisions of the Act of Assembly in such case made and provided, and to lay
off the dower of Mary B Smeltzer, the widow of said deceased, in said Real Estate, do
hereby give notice to all concerned, that we shall meet at the dwelling house on said real
estate, on Thursday, the sixth day of December, AD 1866, at 9 O'clock in the forenoon, to pro-
ceed in the business for which we are appointed. ~

Olle Rontzahn
Stanow Rudy
Jonathan Rontzahn
John Kepler
John Rontzahn

Printer's Certificate

December 8th 1866 ~

This is to certify that the annexed Notice was published in the Valley Register
for the space of Sixty days prior to the 6th day of December 1866 ~

George L. Rhoderick

To the Honorable Madison Nelson Circuit Judge for the South Judicial Circuit of the State of Maryland,
Sitting in the Circuit Court for Frederick County as a Court of Equity ~

The undersigned Commissioners appointed by the Commission hereto prefixed to adjudge and determine
in regard to the division and value of the real estate of Daniel Smeltzer late of Frederick County deceased,
and to perform the other duties required in and by the said Commission, ^{and respectfully} report and return to this Honor-
able Court that having first taken the Oath Annexed to said Commission as is therein certified, and
having caused due notice according to law, to be given to all the parties concerned of our intention to
proceed to execute the said Commission at the late dwelling of the said Daniel Smeltzer by advertisement
set up at the door of the Court House of said County, and such other public places in the said County as
we considered advisable to direct, and by publications in the Valley Register a newspaper printed
in Frederick County at least two months previous to our proceeding to execute the said Commission
we proceeded agreeably to such notice to meet on the sixth day of December in the year Eighteen
hundred and sixty six at the late residence of the said Daniel Smeltzer and there and there
caused the lands comprising the real Estate of the said Daniel Smeltzer to be surveyed and laid
out by John W Ransburg a surveyor by us thought qualified, and we examined and
caused to be laid off by the said surveyor the dower of Mary B Smeltzer the widow in the
said Commission mentioned in and of the said lands of the said intestate Daniel Smeltzer
all of which will fully appear by the certificates and plats of the Home Farm and Mountain
lot, made out and signed by the said John W Ransburg, surveyor, which are herewith an-
nexed as part of this return - And also four rooms and cellar in the Northern portion
of the dwelling house on said Home Farm - And one third portion of the Barn at the East
end, and one third portion of all the out buildings on said farm, and the right and
privilege of ingress and egress to and from the dwelling house barn, and out buildings to
the portion of land laid out by the said surveyor, as and for her dower. And we the under-
signed Commissioners, after examining the said lands and real estate of the said intestate,
and due Consideration, did adjudge and determine that the said real estate cannot be
equally and fairly divided between all interested, according to their several just proportions be-
cause the number of persons (there being eight heirs at law) entitled to a portions of the said Estate

Election of
D B D Smeltzer
to take Home

Final Dec
Ratifying
of Court