

substance of this Bill and warn them to appear in this Court in person or by solicitor on or before the 14th day of January 1859 to answer the premises and show cause if any they have why a decree ought not to pass as prayed

B. G. Fitzhugh Clerk of the Circuit Court for Frederick's County

David Baer et al } No 2795 Equity in the Circuit Court
Elyza A Baer et al } for Frederick's County as a Court of Equity
July Term 1858

The object of this suit is to procure a decree for the sale of the Real Property of which John Baer late of Frederick's County died seized and proposed the Bill stating that the said John Baer died intestate some time in the month of June in the year 1858 leaving the said David Baer John H Baer and Elyza & James his children and Elyza A Baer David H Baer Catharine T Baer John H Baer Sarah R Baer William F Baer and Jacob S Baer his grand children his only heirs at law that said grand children say the children and only heirs of a deceased Mr. Jacob Baer who died in the month of June in the year 1855 that said grand children all reside in Augusta County Virginia and are all infants under age except Elyza & Baer who is above twenty one year of age and are all non residents of this state that said John Baer died seized and proposed in fee of a piece or parcel of Real Estate in Frederick's County containing about 100 and 27 acres more or less mentioned and described in a deed from David Baer to said John Baer a copy of which deed is filed as an exhibit in this case that said Real Estate is not susceptible of Partition amongst the aforesaid parties and that it will be greatly to the interest and advantage of all the parties interested the adults infants as well as the complainants that said Real Estate should be sold and the proceeds divided amongst the parties entitled and that the complainants in this Bill expressly waive all and every right of Partition and Election given by the act of Assembly of the year 1820 Chapter 191 that the complainants are remediless without the aid of this Court It is therefore adjudged and ordered that the complainants by causing a copy of this order be inserted in some newspaper published in Frederick's County once a week for one month before the 19th day of October next give notice to the said absent defendants of the object and substance of this bill and warn them to appear in this Court in person or by solicitor on or before the 14th day of January 1859 to answer the premises and show cause if any they have why a decree ought not to pass as prayed

B. G. Fitzhugh Clerk of the Circuit Court for Frederick's County
True copy sent B. G. Fitzhugh Clerk