

Interlocutory Decree Titus O. Bartgis & others
vs
Frederick F. Bartgis & others

No. 3356 Equity
In the Circuit Court for Frederick County as
a Court of Equity.

October Term 1867

The Defendants in this cause having been duly summoned to appear to the Bill of Complaint, and Frederick F. Bartgis and Veronica A. Bartgis having appeared to the Bill of Complaint, but failing to file their answer thereto.

It is therefore this 14th day of November A.D. 1867 by the Hon. Madison Nelson Judge of the Circuit Court for Frederick County, as a Court of Equity, and by the authority of this Court ordered, adjudged, and decreed, that the Complainants are entitled to relief in the premises. ~ But because it doth not appear certainly to what relief the Complainants are entitled, it is further adjudged, ordered and decreed, that a Commission is issued to the standing Commissioners in Chancery to take testimony to support the allegations of the Bill. ~

Filed Nov. 14th 1867

Madison Nelson

Commissioners take
Testimony

Maryland, to wit:
The State of Maryland to William B. Nelson & R. Wilson of Frederick County, Greeting. ~ Be it known, that you are appointed Commissioners to examine Evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Titus O. Bartgis & O. Neighbor wife Ann R. Bartgis & William Morgan & wife Complainants and Frederick F. Bartgis & wife, Veronica A. Bartgis, Clara O. Bartgis, Frederick A. Bartgis & Annie R. Bartgis, Defendants. ~ You are therefore required, having first taken the Oath hereunto annexed, and also administered the annexed Oath to the person whom you shall appoint as Clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such Evidences as shall be named and produced to you by either the Complainants or Defendants; and that you examine them on their Corporal Oaths, to be by you administered upon the Holy Evangelists of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their Attorneys, of the execution of the Commission before you execute the same, and having reduced the depositions of the witness as taken by you into writing, you send the same, with 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 21st day of October Anno Domini 1867. ~

Issued the 14th day of November 1867

Daniel S. Piser, Clerk

Comm'n 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. ~