

The Petition of Anne R. Bartgis respectfully shows unto your Honor that she is a widow of Martin Bartgis, a deceased son of Benjamin F. Bartgis, deceased, and is entitled to a dower interest in said Martin Bartgis' interest in the real estate mentioned in the Original Bill, in this Cause, and that she agrees that a Decree may be passed for the sale of the real estate mentioned in said Original Bill, and that in lieu of dower thereon, she is willing to take such portion of the proceeds of the sale of said real estate as the Court may determine she is entitled to. She therefore prays your Honor to pass an order making her one of the complainants parties to said Bill. And your Petitioner will ever pray &c.

Filed November 12<sup>th</sup> 1867

A. Fearhead, Jr.  
Solicitor

Interlocutory Decree  
Applying Court  
to view, value & divide

Titus D. Bartgis and others  
vs  
Frederick J. Bartgis & others

No 356 Equity  
In the Circuit Court for Frederick County  
as a Court of Equity  
January Term 1868

This cause standing ready for hearing, the Bill, Exhibits, Answers, and all other proceedings were read and considered.

It is thereupon this 13<sup>th</sup> day of January A.D. 1868 by the Circuit Court for Frederick County as a Court of Equity, adjudged, ordered and decreed, that there be a partition of the Real Estate whereof Anne Bartgis, in the proceedings aforesaid, lately died seized and possessed, amongst her heirs at law, and to the end that this Court may be enabled to make such partition, it is further adjudged, ordered and decreed that a Commission in the usual form issue to Cornelius Staley, William Zimmerman, William F. Preston, John Holtz, Philip Wichter of Frederick County, authorizing them or any four of these of them, to enter upon, walk over, and survey the said real estate and value the same subject to all encumbrances if any thereon, and to divide the same into six equal parts having regard to quantity and quality, if in their opinion the said Real Estate be susceptible of such division with advantage to all the parties interested therein, and to allot one of such divisions to each of the heirs at law of the said Anne Bartgis deceased.

And if in their opinion the said Real Estate be not susceptible of such division with advantage to all the parties interested therein, then that they proceed to divide the same into such lesser numbers of parts as they may deem most to the advantage of all parties interested therein, and ascertain the value of each part thereof, subject to all encumbrances thereon, having regard as aforesaid to quality and quantity; but if in their opinion, the said Real Estate will not admit of division without loss or injury to the parties, then that they make return of their judgment and the reasons upon which the same is formed, with the real value of said Real Estate, subject to any encumbrances thereon, and that the said Commissioners make out or cause to be made out a plot and certificate of the said real estate, and of the divisions thereof with the beginning and courses, and an accurate description of the said real estate and the several parts thereof, and to the said Commission there shall be annexed the usual oath of Office.

1868 January 15<sup>th</sup> Filed

Madison Nelson

Commissioners  
View Value &c.

Frederick County, Md.  
The State of Maryland to Cornelius Staley, William Zimmerman, William F. Preston, John Holtz; and Philip Wichter of Frederick County - Greeting. - Whereas, Titus D. Bartgis, N.O. Neighbors and wife and others, have filed their Bill of Complaint in the Circuit Court for Frederick County