Dan'l Marker's Election to take real estate

Peter C. Hesselbrug and Elizabeth Hesselbrug vs Daniel Marker, Lewis Marker & others

No. 3278 In the Circuit Court for Frederick County, sitting as a Court of Equity.

I Daniel Marker of Frederick County, eldest son and one of the heirs at law of Michael Marker late of said County deceased, do hereby elect to take the real estate of said Michael Marker specified in this cause at the valuation thereof made by the Commissioners appointed herein, and pray that I may be allowed to give bonds to the several heirs at law for their respective shares of said valuation payable one and two years from this date

Witness Grayson Eichelberger. Daniel Marker

Filed Jany 18th. 1867.

Final Decree Ratifying Return of Commissioners

Peter C Hesselbrug and Elizabeth Hesselbrug his wife vs. Daniel Marker, Lewis Marker, and others

No. 3278 Equity

Circuit Court for Frederick County in Equity

January Term, 1867

The Commissioners in the Interlocutory Decree passed in this cause for the partition of the real estate of Michael Marker, deceased, late of Frederick County, deceased, having made a return of their proceedings under the said decree, and having returned that said lands were not susceptible of partition into as many parts as there were heirs, nor was the said lands susceptible of partition into two or more parts without loss or injury to the parties interested therein; and having valued said Lands and assigned by metes and bounds, the dower of Sarah Marker the widow of said Michael Marker in said Lands, and Daniel Marker, the eldest son of Michael Marker deceased, by a writing filed in the cause, having elected to take said lands described in the plat filed with the return of the Commissioners, containing fifty six acres of Land more or less at the valuation of the said Commissioners

It is thereupon this 24th. day of January in the year Eighteen hundred and sixty seven, by Jno Madison Nelson, Circuit Judge for the Fourth Judicial Circuit of the State of Maryland and by the authority of the Circuit Court for Frederick County, sitting as a Court of Equity, adjudged, ordered and decreed that the said return of the Commissioners be and the same is hereby ratified and confirmed, And it is further ordered, adjudged and decreed that the said Daniel Marker shall hold in severalty and not jointly or in common with the other parties to this suit All the real Estate designated in the return of the said Commissioners, and the plat accompanying the same, subject to the dower of said Sarah Marker as assigned by the said Commissioners in their return and in the plat accompanying the same.

And it is further adjudged, ordered and decreed that this cause be