No. 5260 Equity.

are now - residents of the State of Maryland and reside in Berkely County in the State of West Virginia.

4 - That all of said parties are adults over twenty-one years of age.

5. That the said Titus V. Bargis died as aforesaid seized and possessed of a small strip of ground about four feet wide, lying contiguous to the aforementioned premises which he obtained by deed, dated April 3rd, 1874 from Jacob Wilhide and Amy, his wife a certified, Copy of which is herewith filed marked "Exhibit No. 2".

6.- That the said Titus V. Bartgis left as his only heir at law the six children already mentioned in the first and third paragraphs of this Bill.

7.- That your oratrix, Mary J. Walker is a judgment Lien or against the interest of the said John Bartgis by virtue of a judgment of condemnation in the Circuit Court for Frederick County, a certified copy of which is herewith filed marked "Exhibit - No. 3".

8. That the real estate mentioned in this Bill is not susceptible of partition without great loss and injury to the parties entitled to interests therein as above stated and that in order to make division of said interests it will be necessary that said real estate be sold and the proceeds divided among the parties according to their respective interests -

And your Orators pray for the following relief:-

1.- That a decree may be passed for the sale of the said real estate and that the proceeds may be divided among the parties according to their respective interests

2.- That your orators may have such other and further relief as the nature of their case may require.

And your Orators pray for the following Process:-

1. The Writ of subpoena directed to the said Charles W. Bartgis and Anna Bartgis his wife, Adults, of Montgomery County, Maryland, commanding them to be and appear in this court on some certain day to be therein named, to answer the premises and abide by and perform such order or decree as may be passed therein.

2.- An Order of Publication giving notice to the said Byron C. Bartgis and Lilly A. Bartgis, his wife and John Bartgis and Emma Bartgis his wife, all adults of Berkley County in the State of West Virginia and George T. Walker, adult, of Washington City in the District of Columbia all of whom are now - residents of the State of Maryland, of the object and substance of this Bill, and warning them and each of them to appear in this Court in person or by Solicitor on or before a day certain, to be therein named, to show cause, if any, they or any of them have why a decree ought not to pass as prayed.

And as in duty &c

Clayton C. Keedy

Solicitor for Plaintiffs.

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Exhibit No. 1.

At the request of Titus V. Bargis & others (Stamp 25.00)
the following Deed was recorded May 3rd, 1869.

This Deed made this nineteenth day of May in the Year Eighteen hundred and Sixty Eight by us Shadrock A. Hedges

Exhibit