

Return
of Court

John Kunze Int: Surg Exec: } No 2445 Equity in the Circuit Court for Frederick
of John Kunze deceased } County sitting in Equity
vs

Elizabeth Kunze and others } At the execution of the annexed Commission issued
out of the above Court and to me directed and empowering me to examine evidence in the
Cause depending in said Court between the above Complainants and defendants I Fredk
Nelson, Commissioner therein named having met pursuant to previous notice thereof given to
said parties did proceed in the presence of the Complainant to take the following testimony to
wit. Nathaw Englar a witness of lawful age produced on the part of the part of the
Complainant and being duly sworn and examined to interrogatories filed with me by
Complainant and herewith returned deposes and says

First Interrogatory, I know the parties to this suit, have known them for a long time,

John David, Ann Elizabeth and Jasper Newton Kunze are under the age of twenty one years
Second Interrogatory - I was, he died, intestate and John Kunze his brother administered
upon his estate. The estate has been fully settled up by said administration. The estate
was insufficient to pay the debts of the deceased. He left a widow and no heirs except
the three children named above

Third Interrogatory. He had, he became possessed of the estate by devise from his
father in his last will and testament, it was devised to him thus viz he was to take the
property at the appraisement of three men, he took it at their appraisement. He has not
paid for said estate, there is a large amount yet due upon it, say three thousand dollars

Fourth Interrogatory I do not

There being no other witnesses to be examined and neither party wanting further time
to produce his evidence the Commissioner closed the said Commission and herewith returns
the same under his hand and seal

Fredk J Nelson Com: 

Endorsed To the Hon Judge of the Circuit Court for Frederick County sitting in Equity
the execution of the within Com: will appear by certain papers herewith returned

Filed Oct 18 1852 Com: to Com: \$4.00 Fred J Nelson Com:

Decree

John Kunze Int: surving Exec: } No 2445 Equity in the Circuit Court for Frederick
of John Kunze Sen: decd } County as a Court of Equity
vs } November Term 1852
Elizabeth S Kunze & others }

This Cause standing ready for hearing and being submitted
without argument the proceedings were read and considered, it is therefore this 20th day
of November, eighteen hundred and fifty two, by the Circuit Court of Frederick County sitting
as a Court of Equity, and by the Hon Madison Nelson, Judge thereof, adjudged ordered and
decreed that the property mentioned in said proceedings, to wit, part of a tract of land called
lying and being in Frederick County and State of Maryland, the property of the
late Jasper Kunze deceased, be sold free of the right of dower of Elizabeth S Kunze
widow of said deceased, who has consented to such sale and is to receive her legal
proportion of the money arising from such sale. That John Kunze Jr of Frederick County
expressed be and he is hereby appointed trustee to make sale of said property and the course
and manner of said trustee shall be as follows to wit he shall first file his bond to the
State of Maryland with security to be approved by this Court or the Clerk thereof in the
penalty of six ten thousand dollars conditioned for the true and faithful discharge of
the trust reposed in him by this decree or which may be reposed in him by this decree or
which may be reposed in him by any future order or decree in the premises. He
shall then expose said premises for sale at public auction, after having given at least