

Return of
Court

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity to me directed and empowering me to examine evidences in a cause depending between Samuel Brandenburg Complainant and John Brandenburg & another defendants J. R. Nelson Junr. Commissioner thereon named on the 26th day of January 1853 at my office in Frederick, proceeded to take the depositions of the following persons, Samuel Mangens, a competent witness of lawful age, being produced and duly sworn and examined to interrogatories filed on the part of Complainant with the Commissioner and herewith returned deponeth and says

To the first Interrogatory herewith filed on part of the Complainant, that he knows the parties and has known them for many years

To the second Int he answers, he did know Henry Brandenburg in his life time, he is now dead, he died about 6 or 7 years since, he left a widow and children the name of the widow is Mary, the names of the children are Samuel, John D. Mary Ann and Malinda C, the last Malinda is under 21 years of age the other children are adults

To the third interrogatory he answers Henry Brandenburg died seized and possessed of real estate, it is situate in Catoctin District now finally in the 10th district of Frederick County, as to the best of deponents knowledge the same property mentioned in the deed now shown him marked Exhibit A and herewith returned

To the fourth Int he answers Mary Ann Brandenburg one of the children of Henry Brandenburg has intermarried with Henry Poffenberger

To the last Int he answers he knows nothing further

Commission was here closed & respectfully returned

Costs \$4. 67³
Filed Jan'y 26 1853

R. Nelson Jr Com^r 

Decree
appg
Com^r to
view

Brandenburg vs. Brandenburg & another } No 2456 Equity
In Circuit Court for Frederick County sitting as a Court of Equity

This case standing ready for hearing and being submitted upon the bill, answers, exhibits and all other proceedings which were read and considered it is thereupon this 25th day of February, 1853, by the Circuit Court for Frederick County sitting as a Court of Equity and by the authority of the said Court, ordered adjudged and decreed that the dower of a certain Mary Brandenburg in to and out of the parcel and tracts of land specified and described in said bill and exhibits & other proceedings in this case be laid off and apportioned to her the said Mary Brandenburg that the said land and real estate be then partitioned and divided among the heirs of Henry Brandenburg dec^d the same being into four shares, so that each tenant in common or coparcener have an equal share or proportion of said land and premises allotted to them according to the provisions of the act to direct descents, provided the said land and premises can be divided and partitioned as aforesaid without loss or injury to the parties interested therein, and if the said land and premises is not susceptible of division as aforesaid, that then and in that case the same be valued at its true and correct worth according to the provisions of the act to direct descents And to enable this Court to make the said apportionment of dower and the said partition of the same to be practicable, or to ascertain the correct value of said land and premises, it is further adjudged, ordered and decreed that a Commission issue in due form of law to five suitable persons of Frederick County viz John Sensebaugh John Recker Solomon Forest, Paul Kline and John Smith of S. Esquires authorizing them or any four or any three of them to enter upon, walk over and survey the said land and to enter into and examine the houses and buildings on said lands and to lay off one third in value thereof