

as the donor of the said Mary Brandenburg and then of the said land and premises be susceptible of partition as aforesaid to divide the same into four equal parts having regard to the quantity and quality and value, and that said Commissioners make out or cause to be made out a plot or certificate of said land, and of the exact divisions thereof with the beginning and courses and an accurate description of the whole of said land and of the part thereof to each tenant in common, as may be allotted to them. But if the said Commissioners shall upon the examination and survey as aforesaid, determine that said land and premises is not susceptible of advantageous division as aforesaid, then they shall return to this Court the reasons in which they found such determination with a correct valuation of said real estate. And to the said Commissioners shall be annexed the usual oath office all which proceedings of the Commissioners together with the plots descriptions and documentary evidence produced to them shall be returned by them with their Commission to this Court

Filed July 25/53

M. Nelson

Comr.

Maryland Set



The State of Maryland to John Susantough, John Recher Solomon Forest, Paul Klund and John Smith of S of Frederick County, Gentlemen Greeting Know ye that we have in pursuance to an order of the Circuit Court for Frederick County, sitting as a Court of Equity passed on the 25<sup>th</sup> day of February 1853 in a cause therein between Samuel Brandenburg Complainant and John Brandenburg and others defendants, fully authorized and empowered you or any four or three of you, to go enter upon, walk over and survey the tracts and parcels of land in the proceedings mentioned in the said cause and lying and being situate in Frederick County and State of Maryland viz "all that part or portion of ground, which lies within the outlines of the east part of the land which Jonathan Forest sold on the 18<sup>th</sup> day of January 1804, situate in the South Mountain in Frederick County and for a further description of said real estate reference is had to a deed dated the 5<sup>th</sup> day of May 1823 from Jonathan Forest to Joseph M Palmer as trustee and the said Joseph M Palmer as trustee, sold and conveyed, said land to Samuel Brandenburg for 200 acres of land be the same more or less which said conveyance is recorded in detw I S. No 20 plus 213 to one of the land records of Frederick County, you or any four or three of you to enter upon walk over and survey the said land and enter into and examine the houses and buildings on said lands and to lay off one third in value thereof as the donor of the said Mary Brandenburg and then of the said lands and premises be susceptible of partition as aforesaid to divide the same into four equal parts having regard to the quantity and quality and value, and that you make out or cause to be made out a plot and certificate of said land and of the exact divisions thereof with the beginning and courses and an accurate description of the whole of said land and of the part thereof to each tenant in common as may be allotted to them. But if you find upon examination and survey as aforesaid that said land and premises is not susceptible of advantageous division as aforesaid then you will return to this Court the reasons in which you found such determination, with a correct valuation of said real estate. And, when you shall have so done you or any four or three of you who shall act as to certify and return into our Court as a Court of Equity without delay your acts and proceedings in the premises together with the plots descriptions and documentary or other evidence made, produced to or taken by you certificate distinctly and plainly written closed up under your usual seals or the seals of such four or three of you as shall act, provided