or Injury to all parties entitled, then to divide, and make partition of the same fairly, and equally in value, among all the parties interested, according to the following proportions, that is to say: to the said Michael F. Eichelberger & Mary M. Seabrooks Complainants, Virginia Susan M. Martin J. Grayson M. & Manor E. Eichelberger Defendants, each, one of such divisions, or parts thereof, or if the Estate Cannot be divided equally, and fairly, among all the parties interested, according to their several, just proportions, then you, or a majority of you shall proceed to divide the same into such lesser number of parts, as you may deem most to the advantage of all the parties interested therein, and ascertain the value of each part thereof subject to any incumbrance thereon - having due regard as to quality & quantity. And if in your opinion the said Real Estate, will not admit of division, without loss, or Injury to the parties, then that you make return of your said Judgment, and the reasons upon which the same was formed, with the Real Value of the said Estate, subject to any incumbrances thereon, and you, or a majority of you are hereby empowered and directed to ascertain and lay off the dower of the defendant, Elizabeth Eichelberger the widow of the deceased, in and to the Lands, and Tenements of the Estate, before you shall proceed to divide or value the same, and you or a majority of you shall make the ascertainment, and location of such dower, apart, of you return to this Commission. And you or a Majority of you, having made partition, or allotment, in manner aforesaid shall make return of your proceedings to our Court of Chancery without delay. Witness The Honble Madison Nelson, Judge of our said Court, the 16th day of October, Anno Domini 1854

Issues the 18th Decr 1854 / Test Edwd. Shriver Clk.

Commissioners Oath.

You shall according to the best of your skill, and Judgment, make the partition as directed by the foregoing Commission, and in all things truly & faithfully execute the powers given, and perform the duties required of you by said Commission, without favour, or partiality to, or prejudice, or ill will against any person, whatever interested therein — I Certify that I administered the above Oath, in due form of Law, to Michael Zimmerman, John W. Miller, George W. Barnick, Michael L. Beckenbaugh & Elias Kline the above named Commissioners.

Mathias Kolb Justice of the Peace in & for Frdk County Maryland.

Feb. 9. 1855

To the Hon. Madison Nelson, Judge of the Circuit Court for Frederick County, sitting as a Court of Equity - The undersigned Commissioners, appointed by the Commission hereto annexed, to adjudge & determine in regard to the division, and Value of the Real Estate of Joseph Eichelberger, late of Frederick County deceased, and to perform the other duties required, in, and by said Commission, hereby respectfully report, and return to this Honorable Court - That having first taken the Oath, annexed to said Commission, as is thereon Certified & having Caused due notice, according to law to be given to all the parties Concerned of our intention to execute said Commission, at the late residence of said Joseph Eichelberger, by advertisement set up at the Court House door of said County, and such other public places, in said County as we Considered admissible to direct, at least Thirty days previous to our proceeding to execute said Commission, we proceeded agreeable to said Notice to meet at the time, and place appointed, and then and there Caused the Lands, Composing the Real Estate of said Joseph Eichelberger, to be laid out by Singleton H. O'Neal, a Surveyor by us thought qualified: and we examined & Caused