

and to ascertain the value of the Estate, subject to the incumbrances; and if the said estate can in your opinion, and judgment, or in the opinion & judgment of a majority of you be divided without loss, or injury to all the parties entitled then to divide and make partition of the same, fairly and equally in value, among all the parties interested, that is to say to divide the same into eight equal parts, having regard to quantity, and quality, if in your opinion the said Real Estate be susceptible of such division with advantage to all the parties interested therein, and to allot one of such division to each of the Children of Gideon Bantz senr. the Complainants and to the defendant Peter Lower Bantz; or if the said 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 divide the said Estate into as many parts as it is susceptible of, without loss, and injury to all the parties entitled, and ascertain the value of each part of the said Estate in lawful money, subject to any incumbrance thereon; and if in your opinion and judgment, or in the opinion, and judgment of a majority of you the said Estate, cannot be divided without loss, or injury to all the parties entitled, then you or a majority of you shall make return to our said Court, sitting as a Court of Equity; of your judgment and of the reasons upon which the same was formed, and the Real value of the said Estate, in lawful money, subject to the incumbrances, if any thereon, and if you, or a majority of you shall determine that the said Estate can be divided in either of the ways herein before mentioned, without loss, and injury to all the parties, then you shall cause the Lands to be surveyed, and laid out by the County Surveyor, or such other person as you may think qualified, for the several parties in case the Estate consists of Lands, and if the said Estate shall be equally divided among all the parties interested, according to their several proportions, then, you, or a majority of you shall allot to the several parties their respective shares of the said Land, and in case the said Estate shall consist of Horses, you, or a majority of you shall make allotment, and partition thereof among the parties and you, or a majority of you are hereby empowered, and directed to ascertain & lay off, the widows dower, in and to the Lands, and Tenements of the Estate before you shall proceed to divide, and value the same, and you or a majority of you, shall make the ascertainment & location of such dower a part of your 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 Circuit Court, sitting as a Court of Equity, without delay.

Witness the Hon. M. Nelson Judge of our said Court, sitting as a Court of Equity.
 The 2^d day of July A.D. 1855. Edward Shriver cler.

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, and faithfully execute the powers given, and perform the duties required of you by the said Commission, without favour, or partiality to, or prejudice, or ill will, against any person whatsoever interested therein. Scorsu Beford.

J. M. Standing.
 Aug^r 2^d 1855.

The following paper was filed 3^d Oct^r 1855.
 To the Honorable Madison Nelson, Circuit Judge for the Third Judicial District of the State of Maryland, sitting in the Circuit for Frederick County in Equity
 The undersigned Commissioners, appointed by the Commission herewith prefixed, to adjudge, and determine in regard to the division and value