

and others as Complainants and Catharine Loukenland and others as defendants  
 in No 2621 on the Equity docket of said Court J. Grayson Eichelberger Commissioner  
 therein named and duly qualified as such did proceed at my office in Frederick  
 on Wednesday the first day of October 1856 to take the following deposition, to wit,  
 John Gombert, a witness of lawful age produced on the part of the Complainants, being  
 duly sworn and examined to interrogatories filed with me by the Solicitor for the complain-  
 ants and herewith returned, deposes & says. To the 1<sup>st</sup> Interrogatory. I did know Andrew Lou-  
 kenland, He is dead, he left the following children, Sarah Elizabeth who has intermarried  
 with John Vernon & resides in Baltimore, Caroline, Mary C, Georgianna, Margaret  
 and William H. Loukenland, all the said children are infants under the age of twenty  
 one years. To the 3<sup>rd</sup> Interrogatory. I know the real estate mentioned in these pro-  
 ceedings of which David Loukenland, Sr. died seized, the said land is not susceptible of  
 advantageous division among all the legatees and heirs at law, it will be for the in-  
 terest & advantage of all the parties, infants and adults, concerned, that said land should  
 be sold and the proceeds distributed among them according to their respective rights,  
 The paper marked Exhibit No 1 was filed with me & is herewith returned, There  
 being no further evidence and neither party desiring any further time for the production  
 of evidence. I closed said Commission and herewith return the same closed under  
 my hand and seal this 1<sup>st</sup> day of October 1856

Grayson Eichelberger, Commissioner

Decree

Loukenland et al } No 2621 Equity, In the Circuit Court for Frederick County sitting  
 vs } in Equity. This Cause standing ready for hearing & being sub-  
 Loukenland et al } mitted without argument, the proceedings were read & considered

Trustees  
Report

It is thereupon this 15<sup>th</sup> day of November A.D 1856 by Madison  
 Nelson, Judge of the Circuit Court for Frederick County & by the authority of this Court  
 adjudged, ordered and decreed that the real estate of David Loukenland, Sr. in  
 the proceedings mentioned be sold for the purpose of partition between the parties  
 That John Gombert of Hagerstown, Maryland, be & she is hereby appointed Trustee to  
 make such sale, & that the course of his proceedings shall be as follows, He shall first  
 file in the Office of the Clerk of this Court a Bond to the State of Maryland executed  
 by himself with sureties approved by the Clerk in the penalty of fifteen hundred dollars  
 conditioned for the faithful performance of the trust reposed in him by this Decree or  
 any future Order or Decree in the premises. He shall then proceed to call said real  
 estate having first given notice for at least three previous weeks in some news-  
 paper printed in Frederick & such other notice as he may think proper of the time,  
 place, manner & terms of sale, which terms shall be as follows the purchase to be paid  
 one third cash on the day of sale or the ratification thereof & the residue in two equal  
 annual payments from day of sale, the whole to bear interest from such day & to be  
 secured by notes with surety approved by the Trustee, As soon as may be convenient  
 after such sale the Trustee shall return to this Court a full & particular account of  
 the same with an affidavit of the truth thereof & of the fairness of such sales annexed  
 And on the ratification of such sale, & the payment of the whole of the money to the Trustee,  
 he shall by a good & sufficient deed to be executed and acknowledged according to  
 law, convey to the purchaser of said property & to his or their heirs the property to him or  
 them sold, free, clear, & discharged of all claim of the parties to this Cause, & of any  
 person by from, or under them, And the said Trustee shall bring into this Court the  
 money arising on such sale & the notes taken therefor to be disposed of under the direction  
 of this Court, after deducting the Costs of this suit & such Commission as this Court may allow  
 the Trustee

M. Nelson