

loss or injury to the parties interested therein that they proceed to divide the same into such lesser number of parts as they may deem most to the advantage of all the parties interested therein, and ascertain the value of each part thereof subject to any incumbrances having regard as aforesaid to quantity and quality - and if in their opinion the said real estate will not admit of division without loss or injury to the parties interested, then that they make return of their said judgment and the reasons upon which the same was formed, with the real value of said Estate subject to any incumbrances thereon, and that the said Commissioners make out or cause to be made out a plat or plats and Certificate or Certificates of the said real Estate and of the divisions thereof with the beginnings and courses and an accurate description of the said Estate, and of the several parts thereof, in case they or a majority of them shall determine that a division thereof can be made, and to the Commission then shall be annexed the usual oath of Office.

M. Nelson

Commission

Maryland Petrs

The State of Maryland, John M. Reem, Daniel A. Shattman, Jacob M. Barclay, Geo. W. Smith and John W. Waigata of Frederick County, Comrs.

Know ye, that we have pursuant to an order of the Circuit Court for Frederick County, sitting as a Court of Equity, passed this day in a cause therein between Peter Beard Complainant, and Edward Beard, Johna Guimmerman Et al defendants, authorized and empowered you, or a majority of you (having first taken the oath herunto annexed, and given notice according to the 47th Article of the Md Code of Public General Laws) to enter upon, walk over and survey the real Estate mentioned in the bill of Complaint filed in said cause; and value the same subject to all incumbrances if any thereon, and to divide the same into six equal parts, having regard to quantity and quality if in their opinion the said real Estate be susceptible of division without loss or injury to the parties interested, and to allot one of such divisions to Peter Beard, one to the heirs of John Beard decd, one to Sarah Ann Gelfendander, one to the heirs of Magdalena Helter decd, - one to Catharine Beard - and one to Juliana Beard, the Complainants and defendants mentioned in said bill of Complaint according to their respective interests therein as mentioned and stated in the said bill of Complaint - And if in your opinion the said real estate be not susceptible of such division without loss or injury to the parties interested, then that they proceed to divide the same into such lesser number of parts as they may deem most to the advantage of all the parties interested therein, and ascertain the value of each part thereof subject to any incumbrances thereon, having regard as aforesaid to quantity and quality - And if in their opinion the said real estate will not admit of division without loss or injury to the parties interested, then that they make return of their said judgment and the reasons upon which the same was formed, with the real value of said Estate subject to any incumbrances thereon, and if you, or a majority of you shall decide that the said real Estate is susceptible of division, you shall make out or cause to be made out a plat or plats and Certificate or Certificates of the said real estate and of the divisions thereof with the beginnings and courses and an accurate description of the said estate, and of the several parts thereof, with the real value of each part, and you or a majority of you, are hereby authorized and empowered to examine and take the depositions of any witnesses relating to the matter in question as you may think proper, all of which proceedings, together with the plats, descriptions, if any, and documentary, or other evidence, made, produced, or taken by you, shall be returned with this Commission, and all other proceedings to our Circuit Court sitting as a Court of Equity, without delay,

Witness the Honorable

Madison Nelson Judge of our said Circuit Court sitting as a Court of Equity, the 16th

Commission Petrs