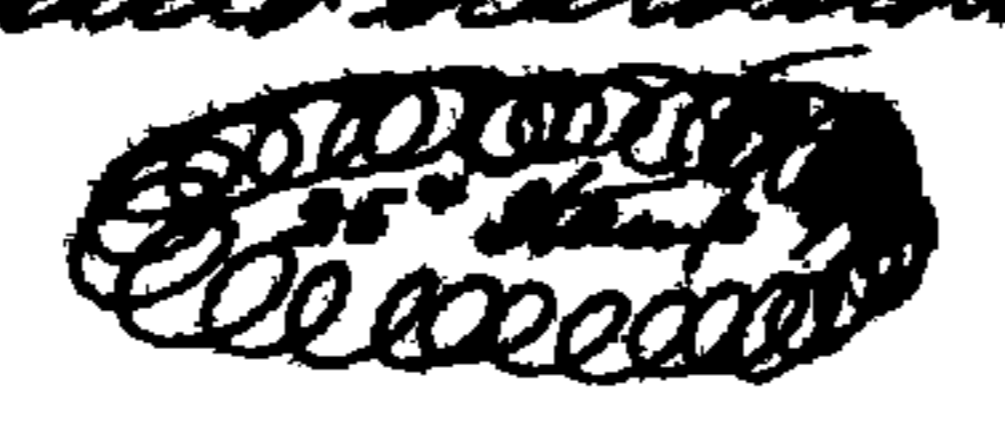


day of October Anno Domini 1865. Issued the 24th day of November 1865.
J. W. L. Garty, Clerk

State of Maryland Frederick County J. D. 10

On this 23th day of November in the year of our Lord eighteen hundred and sixty five, before me the subscriber a Justice of the Peace of the State of Maryland in and for Frederick County personally appeared John H. Reun, Daniel A. Shullman, John W. Wargate and Jacob M. Bushey the Commissioners named in the foregoing Commission, and made oath on the Holy Evangelists of Almighty God well and faithfully to perform the duties required of them by this Commission and all duties assigned to them under the forty seventh article of the Maryland and of Public General Laws, and that they will proceed in the execution and completion of the said Commission without favor, partiality or prejudice and according to the best of their judgment and understanding.



Sworn before Thos. W. Robinson J. P.

John Beard
Edward Beard & others
No 3230 Equity,
Circuit Court for Frederick County in Equity.

To the Hon. Messrs. Nelson Circuit Judge for the fourth Judicial Circuit of the State of Maryland sitting in the Circuit Court for Frederick County in Equity. The subscribers Commissioners appointed by a Commission issued out of the Circuit Court for Frederick County as a Court of Equity in a cause wherein Peter Beard is complainant and Edward Beard and others are defendants, and which Commission is herewith annexed, do hereby certify that after having taken the oath annexed unto the said Commission for us to be taken - and give notice to all parties concerned by publications in the Frederick Sentinel a newspaper published in Frederick County, and by notice set up at the Court House door - and at several other public places in said County convenient to the neighborhood of said premises for more than two months prior to the day of meeting of the time and place of meeting, We did in pursuance of said notice meet on the land mentioned in the said Commission at the late residence of Abraham Beard on Saturday the third day of February in the year Eighteen hundred and sixty six, at 9 o'clock A.M. and did walk over the said land and premises, and there being no widow of Abraham Beard - and we not deeming it necessary to have the said land laid out by a surveyor we proceeded in the discharge of the duties entrusted to us by the said Commission. And we the undersigned Commissioners after examining the said lands and real estate of the said Abraham Beard, the interests, and due consideration did assign and determine that the said real estate cannot be equally and fairly divided between all interested according to their several just proportions because the number of persons entitled to a proportion of the said estate would necessarily make the proportions of each too small to be useful, nor could the same be divided into parts equal to the number of heirs - without loss or injury to the parties interested therein, and we the said Commissioners did also then and there decide that the said real estate is not susceptible of any division into two or more parts without loss or injury to all the parties - because the lands owned by said Abraham Beard in his own right are composed of small pieces of tracts of land one containing ten acres, one twelve acres and twenty two square feet of land, and one containing one acre and twenty one feet of land - and as to his other land - the said Abraham Beard was seized of an undivided moiety with Peter Beard, and one third of one half of another piece of land making from the situation of said lands a division thereof impracticable - and we the Commissioners having so decided proceeded to estimate

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