

namely Barbara, John, Eliza J. Mary, James and Emma Jane Legoe all infants ex-
cept Barbara Legoe and all reside in Frederick County aforesaid except Barbara Legoe who
now resides in Carroll County Maryland, ~ To the 7th, That he knows nothing further,

There being no other witnesses present to be examined and the complainant desiring
further time for the production of his evidence, the Commissioner adjourned the said Com-
mission to the 20th day of February Eighteen hundred and sixty five, at which time and
at my Office aforesaid, I proceeded to take the following depositions to-wit:

Michael Shank a witness of lawful age, produced upon the part of the Complainant
being duly sworn and examined to interrogatories filed by the Complainant with the Com-
missioner and therewith returned deposes and says, ~

To the first, ~ That he knows the parties to this suit & has known them all for some years ~
To the second ~ That he knows the real estate of which John Legoe died, seized and possessed,
that he looks at Exhibit No. 1 now shown him, that the real estate therein described is that
of which said John Legoe died, seized and possessed, ~ To the 3rd ~ That he is acquainted

with the handwriting of John Legoe, that he has frequently seen him write and that
the signatures "John Legoe" attached to Exhibits No 3 and 4 are in the proper handwriting
of said John Legoe, ~ To the 4th, ~ That he was acquainted with John Legoe formerly
of Frederick County Maryland, that he died in the said County during the month of April 1865.

To the 5th ~ That said John Legoe was married at the time of his death and left a widow named
Eliza, who resides in Frederick County, Maryland. ~ To the 6th ~ That said John Legoe left the
following children, namely, Barbara, Eliza J. John, Mary, James and Emma J. Legoe, all infants
except Barbara Legoe, who is an adult, and all reside in Frederick County, Maryland. ~

To the 7th ~ That he knows nothing further. ~ There being no other witnesses present to be exam-
ined, and the complainant requiring no further time for the production of his evidence, the
Commissioner closed the said Commission and therewith returns the same under his hand and
seal, on this 20th day of February Eighteen hundred and sixty five, ~

H. A. Nelson Comr

Entered The Execution of the within Commission will appear by cer-
tain depositions thereto annexed, ~

H. A. Nelson Comr.

Deem

William M. Wagner

No 3194 Equity ~

In the Circuit Court for Frederick County in Equity, ~

Eliza Legoe Adm. etc

This Cause standing ready for hearing and being submitted, the
pleas, exhibits, answers, depositions and all other proceedings were read and considered & it there-
upon this 21st day of March in the year Eighteen hundred and sixty five by the Hon. Madison
Nelson Circuit Judge of the fourth Judicial Circuit of the State of Maryland and by the author-
ity of the Circuit Court for Frederick County as a Court of Equity adjudged, ordered and decreed
that the real estate in the proceedings mentioned be sold That William M. Wagner of Frederick
County be and he is hereby appointed Trustee to make such sale, and that the course and manner
of his proceeding shall be as follows, He shall first file in the Clerk's Office of this Court a bond
to the State of Maryland executed by himself with a surety or sureties to be approved by the
Court or the Clerk thereof in the penalty of two thousand dollars conditioned for the faithful
performance of the trust reposed in him by this decree or which may be reposed in him by
any future order or decree in the premises ~ He shall then proceed to make sale of the said
real estate having first given at least three weeks previous notice inserted in some newspaper
printed in Frederick and such other notice as he may think proper of the time place, manner