same into eight equal parts having regard the quantity and quality if in their opinion the said real estate be susceptible of such division with advantage to all the parties interested therein and to allot one of such divisions to each of the complainants and to each of the defendants Anna Kehn Mary Stones Sarah Phillips Hannah Duhl and Susanna Duhl. And if in their opinion the said real estate be not susceptible of division with advantage to all the parties interested therein then that they proceed to divide the same into such lesser number of parts as they may deem most advantageous to 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 then to make return of their said ~~opinion~~ judgment and the reasons upon which the same was formed with the real value of the said estate subject to the any incumbrance whatever and that the said Commissioners lay off the dower of Mary Duhl the widow of the said deceased being they proceed to value or divide the same unless the said Mary Duhl shall consent in writing to be filed with Commissioners to relinquish her dower and to accept in money such proportion in lieu thereof as the Court shall allow her out of the valuation or the proceeds of sale and the said Commissioners if they shall decide that the estate is capable of division shall cause a survey of the same to be made with the plats of the division thereof and return the same. And to the said Commissioners shall be annexed the usual oath or affirmation of office and the Commissioners if they shall decide that no division can be made shall not cause a survey to be made and that the said Commissioners be authorized by the Commission to examine and take the depositions of witnesses relating to the matters in question as they may think fit all which proceedings of the Commissioners together with the plats descriptions if any and depositions to other evidence made purchased or taken by them to be returned with their Commission to the Court

M. Nelson

Maryland Set

The State of Maryland to Nathan Englar Reuben Saylor John Lonzer Christian N. Saylor and Michael Baldwin of Frederick County Greeting. 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 John G. Diehl et al Complainants and Edward Kehn and Anna Kehn his wife et al defendants authorized and empowered you or a majority of you having first taken the oath and affirmation hereunto annexed to adjudge and determine whether the real estate whereof William Duhl late of Frederick County deceased died seized will admit of being divided without loss or injury to all the