

these defendants further admit that the said John Rof. Witherow
 dead, intestate in the month of April, 1858 seized and possessed
 of the lands described in the decr. exhibited in said Bill of
 Complaint except such part thereof heretofore conveyed by the
 said John R. F. Witherow & wife to John Witherow as stated in
 said Bill of Complaint. These defendants further admit
 that they have been appointed administrators of the goods &c. of
 said John Rof. Witherow deceased by the Orphan Court for
 Frederick's County and have executed their appointment and
 have entered upon the duties of their said office these defendants
 further admit that the said John R. F. Witherow left a widow
 named Mary A. R. Witherow and the following children heirs
 at law to whom said lands descended to wit John Witherow
 Elizabeth I. Witherow Scott Hay Witherow Robt Fayette Witherow
 and William H. Witherow all of whom are infants and reside
 in Frederick's County State of Maryland. These defendants
 further admit that the personal estate whereof the said John
 R. F. Witherow died seized and possessed is insufficient for
 the payment of his debts and that it will be necessary to
 sell his real estate to pay the debts of the said John R. F. Witherow
 Witherow this &c and these defendants pray hence to be assigned
 on the then reasonable costs and expenses about the matter in made

Test
 Fredk White John Witherow
 John A. Martin

Thomas S Witherow } No 2949 Equity, In the Circuit Court
 John Witherow et al } for Frederick's County in Equity

I Mary A. R. Witherow widow of -
 John Rof. F. Witherow late of Frederick's County State of Maryland
 deceased do Consent and agree that the real estate whereof the
 said John R. F. Witherow died seized and possessed may be sold -
 under the decree of the Circuit Court for Frederick's County free from
 the incumbrances of my dower therein and that you bein thereof
 do will accept such portion of the proceeds of sale thereof as the Court
 may seem reasonable.

Test Fredk. White Mary A. R. Witherow

State of Maryland Frederick's County ss
 On this 12th day of September 1860 before me the subscriber a Justice
 of the peace of the State of Maryland in and for Frederick's County
 personally appeared Mary A. R. Witherow and made oath under form
 of law that Mary A. R. Witherow widow of John Rof. F. Witherow
 is at this time aged about thirty three years and that her general
 health is good.

Fredk White J. P.

By the Honorable Madison Nelson Circuit Judge of the third Judicial
 Circuit of the State of Maryland.
 The Petition of Thomas S Witherow respect-