

of his death, said tract or parcel of Land, lying and being in Frederick County, in the State of Maryland, as and for the Dower of Sarah Molesworth Widow of the said Alfred Molesworth deceased, in the said Lands and Real Estate, and that you make or cause to be made, a Plat and Certificate of said Lands, and an accurate description of the one third part or Dower so laid out, and when you shall have so done, you or a majority of you who shall act, are to certify, and return unto our said Court without delay, your acts and proceedings in the premises, by your said Certificate distinctly and plainly written, closed up and under your Seals; Provided that before you or any of you shall act in the premises, you or such of you as are to act, shall each take the oath hereunto annexed. ~

Witness the Honorable William P. Maulsby, Chief Judge of our said Court this 20<sup>th</sup> day of November A.D. 1841. ~

Charles Maury, Clerk

Comm<sup>rs</sup> Oaths

You shall according to the best of your skill and judgment, lay off the Dower as directed by the foregoing Commission, and in all things truly and faithfully execute the powers given, and perform the duties required of you by said Commission, without favor or partiality to or prejudice, or ill will against any person interested therein ~

Esse Roop Affirmed  
Filed January 3<sup>rd</sup> 1842 ~

Sworn before  
John F. Smith J. P.

Exception to order of Commissioners to lay off Dower

To the Hon. the Judges of the Circuit Court for Frederick County, sitting in Equity ~  
Asbury Molesworth and others Except to the return of the Commissioners heretofore appointed by your Honorable Court to lay off the dower of Sarah Molesworth, Widow of Alfred Molesworth, for the following reasons, to wit:

- 1<sup>st</sup> Because said Commissioners have laid off the said Dower according to the number of acres and not according to the value of said real estate. ~
- 2<sup>nd</sup> Because the part of said real estate so laid off by said Commissioners as Dower, largely exceeds in value the one third of said real estate. ~
- 3<sup>rd</sup> Because by the manner in which said Commissioners have laid off said Dower the remaining part of said real estate is rendered comparatively valueless. ~
- 4<sup>th</sup> Because said Dower could have been laid off by said Commissioners in a manner more advantageous to all the parties in interest, without loss or injury to the said Sarah Molesworth. ~
- 5<sup>th</sup> Because in laying off said Dower the said Commissioners have assigned to said Sarah not only the buildings barns and Out houses on said real estate but have utterly deprived the remaining part of said real estate of all benefits of water for all purposes. ~
- 6<sup>th</sup> Because said Dower can be so laid off without detriment to the interests of said Sarah, as to secure to the remaining part of said real estate the benefits of the water for stock and other purposes, from which by the report of said Commissioners the said remaining part of said real estate is now wholly excluded.

Filed Jan 9<sup>th</sup> 1842 ~

Fredk. J. Nelson  
Sol<sup>r</sup> for Exceptants

Court Order

Ordered By this Court this 9<sup>th</sup> day of January 1842, that the exceptions filed to the report of the Commissioners appointed to lay off the Dower of Sarah Molesworth in this Cause, be and the same are hereby set down for a hearing on the 16<sup>th</sup> day of January 1842 at the hour of 10 O'clock A.M. with permission to take testimony before the regular Commissioners, upon giving to the adverse party three days notice ~

Filed Jan 9<sup>th</sup> 1842 ~

John A. Lynch