

which Daniel Fogle did seized and possessed - that on the 11th. of April A. D. 1878, they filed this amended Bill of Complaint, for the same purpose - that on the 13th. of April A. D. 1878, Margaret Fogle, the widow of said Daniel Fogle, filed her answer to said Bill of Complaint, claiming down therein, and prayed your Honor to have said down assigned to her. Your petitioners pray your Honor to pass an order directing a Commission to issue to five discreet, sensible persons to lay out and locate the down of the said Margaret Fogle in the lands of which her said husband Daniel Fogle did seized and possessed.

And as in duty bound, &c.

John C. Mottis  
Sol. for Petitioners.

Isaac Fogle and Barbara Fogle } No. 4340 Equity.  
his wife } In the Circuit Court for  
vs. } Frederick County in Equity.  
Peter Fogle and wife et al } May Term, 1878.

The above petition being read and considered, It is thereupon this 3<sup>rd</sup> day of June A. D. 1878, by the Court adjudged, ordered and decreed that the said Margaret Fogle is entitled to down in the lands and tenements in these proceedings mentioned, of which her husband Daniel Fogle did seized and possessed, and to the end that this Court may be enabled to make a just assignment to the said Margaret Fogle of her down in the aforesaid lands and tenement. It is ordered that a Commission issue to Francis C. Renner, Jacob Stately of J. Adam D. Birdy, Lycourgue St. Phillips and William R. Claybaugh, five discreet sensible men, authorizing them, or any three of them to go upon, walk over, survey and designate one third part of said premises, as and for the down of the said Margaret Fogle, and that the said Commission be directed in the Commission to make out a plot and Certificate exhibiting an accurate description of the third part so by them laid out, and the said Commission shall make return of their proceedings to this Court as soon as may be, subject to the further orders of this Court on the same. And to the said Commission they shall be annexed the usual oath of Office.

John St. Lynch  
Judge of the Cir. Court.

Filed June 3<sup>rd</sup> 1878.

Commis-  
sion to  
Lay off  
Down  
&c

State of Maryland, Frederick County, Oct: -  
State of Maryland, To Francis C. Renner, Jacob Stately of  
J. Adam D. Birdy, Lycourgue St. Phillips and William R. Claybaugh  
of Frederick County, Creating: Know ye, that we have pursuant  
to an order of the Circuit Court for Frederick County, sitting as a  
Court of Equity, passed on the 3<sup>rd</sup> day of June, A. D. 1878, in a cause  
in said Court depending, being No. 4340, on the Equity Docket of said