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## MSA SC 5458-51-3904

**Dates:** 2009/03/10
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CHANCERY COURT (Docket) Jerningham Drury and Able Hill Drury vs. Able Hill, Joseph Hill, and Morgan Hill, 1804, p. 261, MdHR 17,956 [MSA S527-16, 1/34/5/6]
save as pdf called msa_sc5458_000051_003904-1

CHANCERY COURT (Chancery Papers) Jerningham Drury and Able Hill Drury vs. Able Hill, Joseph Hill, and Morgan Hill, 1804, MdHR 17,898-1540 [MSA S512-2-1613, 1/36/1/65]
save as pdf called msa_sc5458_000051_003904-2

CHANCERY COURT (Chancery Record) Jerningham Drury and Able Hill Drury vs. Able Hill, Joseph Hill, and Morgan Hill, 1804, Liber 63, p. 36, MdHR 17,776 [MSA S517-76, 1/35/2/13]
save as pdf called msa_sc5458_000051_003904-3

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Notes | Edit Database Entry

1540

Drury Jerningham
Able Hill Drury
vs
Able, Joseph, Morgan Hill

Anne Arundel Co. 1804

Bill, Exhibits, Commission
Answer - Decree

Recorded in Liber #63-36

Birchheads Meadows
" Parcel

17898-1540

Copied

Jenningham Dawley and
Abel Hill Dawley

v

Abel Hill, Joseph Hill
& Morgan Hill

Bill & 2 Ans.

1540

Mr. Howard,
File there &c.

J. Johnson

Filed Nov 20. 1864

Sol. Sp.

Jenningham
Samuel Harrison
Wm. Allen
Thomas Kellman

To the honorable Alexander Contee Harrison Esquire
Chancellor of Maryland

The bill of complaint of Jenningham Drury of Anne Arundel County and Abel Hill Drury his son, a minor by said Jenningham Drury his next friend humbly represents, that Susannah Hill and Sarah Hill two sisters were seized in fee of two tracts or parts of tracts or parcels of land called Birkheads parcel and Birkheads Meadow containing about three hundred acres of land situate in said County that they both died intestate and without issue since the year seventeen hundred and eighty eight whereby the said land descended equally to Abel Hill and Joseph Hill their brothers of the whole blood — Joseph Hill has also since died intestate leaving four children one of whom is also dead a minor and without issue, whereby a moiety of the land descended equally to or devolved on the three surviving children named Abel Hill, Joseph Hill and Morgan Hill —

Your complainants represent that the said Susannah Hill in her life time for a valuable consideration executed her bond to convey her part of the land aforesaid to your complainant Jenningham Drury, but having died without executing the deed, the said first

17898-1540

Abel Hill with a view of carrying the contract into
execution on the ninth day of April seventeen
hundred and ninety one conveyed the interest
he derived by the death of said Susanah to
the undivided moity aforesaid to your complai-
nant Jenning Lane Drury as will appear by a
copy of the deed No. 1 herewith filed as part of
this bill — Your complainants state that
on the same day the said Abel Hill conveyed
in fee to Abel Hill Drury and Mary Drury
as joint tenants his interest in that part of
the land he derived by the death of said
first named Sarah Hill as will appear
by the deed No. 2 herewith filed — Your
complainants should here have stated but
they now state, that the said first mentioned
Sarah Hill married one Noble, and that
Sarah Hill first named and Sarah Noble
in the last deed mentioned are one and the
same person and not different — They also
state that Mary Drury in the deed mentioned
is dead whereby her part has devolved on
your complainant Abel Hill Drury by survivorship

Your complainants state that on the
facts aforesaid the said land must be divided
as follows one fourth to your complainant Jenning Lane
Drury, one fourth to your complainant Abel H. Drury

and the remaining half in three parts to be
divided between the said Abel Hill Joseph Hill
and Morgan Hill, the surviving children of
said first named Joseph Hill — But
they represent that on account of the agency
said Joseph Hill and Morgan Hill as well
as that of your complainant Abel Hill Dewey
who are minors a division or a sale of the
land can only be had in this Court where
cases of this nature are cognizable and where
persons of age having interests in common
in land of equal or unequal extent with
minors may have the whole land divided
or sold as on a consideration of all circumstances
shall appear most advantageous to the
parties considered In consideration of which
and as relief can only be obtained here where
cases of this nature are cognizable May it
please your Honor to cause subpoenas to
be issued to the said Abel Hill, Joseph
Hill and Morgan Hill of Ann Arundel
County commanding them to appear in this
Court to answer the premises and to abide by
such decree as your Honor may make and that
you will decree a sale or a division as shall appear
most advantageous and grant such other relief as
to the nature demands &c. Jno. Johnson for Complt.

6 s d

Abel Hill
to
A W Drury
Mary Drury

Copy Deed

2

This Indenture made this ninth day of April in the year of our Lord one thousand seven hundred and ninty nine Between Abel Hill of Anne Arundel County of the one part and Abel Hill Drury and Mary Drury children of Jerningham Drury of the other part Whereas Sarah Noble of said County was in her own right seized of an estate in fee simple in and to an undivided Moiety of part of two tracts of land lying in Anne Arundel County called Bukheads Parcell and Bukheads Meadows and afterwards died Intestate and without Issue whereby her Moiety descended in three equal parts one to the said Abel Hill one to Susanah Hill and one to the infant children of Joseph Hill which Abel Hill Susanah Hill and the children aforesaid were the heirs of the said Sarah and whereas afterwards and before any division made the said Susanah died Intestate and without Issue whereby her third part of said Moiety descended to Abel Hill and the children of Joseph Hill whereby the said Abel Hill became entitled to one moiety of the Moiety which said Sarah died seized and he is desirous of conveying the same to his Grand Children aforesaid. Now this Indenture Witnesseth that the said Abel Hill for and in consideration of the love affection he bears his said two Grand Children and for and in Consideration of the sum of five shillings current money to him in hand paid the receipt whereof he doth hereby acknowledge he the said Abel Hill hath given granted bargained sold alined and released and by these presents doth give grant bargain sell alien and release to the said Abel Hill Drury and Mary Drury their heirs and Assigns one undivided Moiety of a Moiety of part of two tracts of land called Bukheads Parcell and Bukheads Meadow which was the estate of the said Sarah Noble and all his right title and estate therein To have and to hold the said undivided Moiety of a Moiety of part of two tracts of land and all the estate right title and Interest which the said Abel Hill

17898-1546 Gath

hath therein to the said Abel Hill Drury and Mary Drury their heirs and assigns for ever In Witness whereof the said Abel Hill hath hereunto set his hand and affixed his seal the day and year first above written

Signed sealed and delivered in presence of

Jas Disney — Abel Hill (Seal)

Saml Harrison

Received on the day and year first above written of the above named Abel Hill Drury and Mary Drury the Consideration above Mentioned

Test

Jas Disney — Abel Hill

Saml Harrison

Maryland Sct on the ninth day of April one Thousand seven hundred and ninty nine then came before us the Subscribers two of the Justice of the peace for Anne Arundel County Abel Hill party to the above Deed and acknowledged the same to be his act and Deed and the land therein mentioned to be the right title and Estate of Abel Hill Drury and Mary Drury their heirs and assigns forever according to their intent and meaning thereof and the act of assembly in such cases made and provided

Jas Disney

Saml Harrison

Which,

Which was endorsed as follows.

Recd 6 May 1799 To be recorded same day recorded in Liber N H No 9 folio 544 one of Ann Arundel County Land record books

Nicho Hammond

True Copy Test.

Tho H Bowie

Reg Cur Can

Joseph Hill &
Morgan Hill
answer

filed February 15. 1805

The answer of Joseph Hill, and Morgan Hill, minors by Abel Hill their guardian to the bill of complaint filed against them in the Chancery court, by Jerning Lam Drury and Abel Hill Drury, or so much thereof as they are advised to be material or necessary for them to answer unto, they answer and say

That they admit said Susannah Hill, and Sarah Hill were seized in fee of the land in the bill mentioned, that they died intestate and without issue as stated in which the land descended equally to said Abel Hill, and Joseph Hills descendants. They also admit that said Joseph Hill died intestate leaving four children one of whom is since dead a minor and without issue and that a moiety of said land descended equally to Abel Hill, Joseph Hill and Morgan Hill — the children of said Joseph. They also admit that said Susannah

17898-1540

Hill executed a bond to convey his part to said Jemimiah Drury, the said Abel Hill conveyed his part to said Drury as stated — and that the said Abel Hill also conveyed to Abel Hill Drury and Mary Drury as stated — They also admit said Sarah Hill married one ~~Thomas~~ Anthony Noble — And that Mary Drury is dead and her part devolved on Abel Hill Drury — They submit to such decree as on a consideration of all circumstances may appear just and equitable —

Ann Arundel County, to wit:

On the 11th day of February 1805. personally appeared Abel Hill the guardian by me appointed to said Joseph Hill & Morgan Hill and made oath on the Holy Evangelists of Almighty God that the facts stated in the above answer are true to the best of his information

Acknowledge and being
Sworn before —
Sam Harrison

1866

Deed

Abel Hoe

to

Bermingham Drury

Copy Deed.

This Indenture made this Ninth day of April in the year of our lord one thousand seven hundred and ninty nine between Abel Hill of Anne Arundel County of the one part and Jerningham Drury of the said County of the other part Whereas Susanah Hill sister of the said Abel Hill was in his life time seized of an Estate of fee simple in and of one undivided Moiety of part of two tracts of land lying in the County aforesaid called Buckheads Parcell and Bukheads Meadow and being so seized for a valuable consideration to her in hand paid passed her Bond to convey the same in fee simple to the said Jerningham Drury. and whereas after the execution of said bond the said Susanah died Intestate and without Issue whereby the legal Estate to said Moiety descended to the said Abel Hill and to the four Infant Children of Joseph Hill deceased which Abel and Joseph Hill deceased which Abel and Joseph were brothers of the whole blood and heirs of the said Susanah, and whereas it is right and just that the right title and estate in and if said Moiety should be made over and conveyed to the said Jerningham Drury This Indenture therefore witnesseth that for and in consideration of the sume of five shillings Current money to the said Able Hill in hand paid by the said Jerningham Drury at and before the ensealing and delivery of these presents and to carry into effect the bond and contract of said Susanah Hill to Jerningham Drury. he the said Abel Hill hath given granted bargained, sold aliened and released and by these presents doth give grant bargain sell alien and release to Jerningham Drury his heirs and assigns one undivided Moiety of part of two Tracts of land called Bukheads Parcell and Birkheads Meadow lying in Ann Arundel County and all the right title and Interest and estate therein or thereto which discended to him on the death of Susanah Hill as one of her heirs To have and to hold the said undivided Moiety of said part of the said tracts and all the estate right title and Interest

17898-1540

which

which the said Abel Hill hath therein to the said Perningham Duvey his heirs and assigns for ever

In Witness whereof the said Abel Hill hath hereunto set his hand and affixed his seal the Day and year first above writen.

Signed sealed and delivered } in presence of } Abel Hill (Seal)

Pa.s Disney
Sam Harrison

Received on the day and year first above written of the above Named Perningham Duvey the Consideration above mentioned

Test
Pa.s Disney } Abel Hill
Sam Harrison }

Maryland ss. on the ninth day of April one thousand seven hundred and ninty nine then came before us the subscribers two of the Justices of the peace for Anne Arundel County Abel Hill party to the above Deed and acknowledged the same to be his act and Deed and the land therein mentioned to be the right title and estate of Perningham Duvey his heirs and assigns for ever according to the true intent and meaning thereof and the act of assembly in such cases made and provided

Pa.s Disney
Sam Harrison

Endorsed Recd 6 May 1799

To be recorded same day recorded in Liber A.H. No. 9 folio 542 one of Anne Arundel County land record Book

Nich.s Hanwood Cl

True Copy Test

Tho H Bowie

Reg Surgn

Abel Hilt
answer

Filed February 15. 1805

The separate Answer of Abel Hill to the Bill of complaint filed against him in the Chancery Court by Jermingham Drury and abel Hill Drury or to so much thereof as he is advised to be material or necessary for him to answer into, he answers and says

That he admits said Suranah Hill and Sarah Hill were seised in fee of the Land in the Bill mentioned, that they died intestate and without Issue as stated on which the Land descended equally to said Abel Hill, and Joseph Hills descendants, He also admits that said Joseph Hill died intestate leaving four children one of whom is since dead a minor and without Issue and that the moiety of said Land descended equally to abel Hill, Joseph Hill, and morgan Hill the children of said Joseph,

He also admits that said Suranah Hill executed a Bond to convey her part to said Jermingham Drury, the said abel Hill conveyed his part to said Drury as stated - and that the said abel Hill also conveyed to abel Hill Drury and mary Drury as stated, he also admits said Sarah Hill married one Anthony Noble and that mary Drury is dead and her part devolved on abel Hill Drury, He submits to such decree as on a Consideration of all circumstances may appear just and equitable

Ann Arundel County, to wit.

on the 11th day of February 1805. personally appeared Abel Hill and made oath on the Holy Evangels of Almighty God that the facts stated in the above Answer are true to the best of his information, knowledge and Belief

17898 - 1540 Sworn before Sam'l Harrison

12

Jennings Lam Dunn &
Abel Hill Dunn

v

Abel Hill
Joseph B Hill &
Morgan Hill

Decree

19 apl. 1805

Freeland

56

Wheeler — 83.15 MHS. Aff

v. 5. 70.

Jerningham Davey and
Abel Hill Davey
v.
Abel Hill, Joseph Hill &
Morgan Hill

In Chancery
February Term 1805.

The said cause standing ready for hearing and being submitted the bill answers exhibits return of the commissioner and the agreement of the parties as stated in the return and the argument of the parties as well as all the other proceedings were by the Chancellor read and considered and it appearing right that there should be a partition of the land in the bill and proceedings mentioned,

It is thereupon this nineteenth day of April in the year eighteen hundred and five by Alexander Contee Hanson, Chancellor, and by the authority of this court adjudged ordered and decreed, that there be partition of the land in the proceedings mentioned and that the return of the Commissioner be and the same is hereby ratified and confirmed; It is further adjudged ordered and decreed, that the complainant Jerningham Davey shall hold in severalty and not jointly with the said other complainant, and the defendants, or either of them all that part of the following tracts of land called Bulkhead Parcel, and Bulkhead Meadow, situate in Ann Arundel County which said part is described on the plot returned by the commissioner by lot number four, it being part of the lot number one, beginning for said number four at the letter B at the end of twenty

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eight and one half perches on the second line of the whole survey as returned by the commissioners and running with said line north twenty nine degrees east fifty four and one half perches, then south eighty three degrees and fifteen minutes east two hundred and eleven perches and one half perch to the ninth line of the whole survey aforesaid, then with said line south five degrees ~~east~~ thirty minutes east fifty one perches to intersect lott number three then with said land north eighty three degrees and fifteen minutes west two hundred and forty three perches to the begining containing twenty one acres of land more or less, and it is further adjudged that the said Jenningham Drury have possession of the premises to him in severalty aforesaid adjudged — It is further adjudged ordered and decreed that the complainant Abel Hill Drury shall hold in severalty and not jointly with the parties hereto all that part of the before mentioned lands which is described on the plot, by lot number three, the same being the other part of lot number one, begining for lott number three at a stone it being the begining of the whole survey and running with the first and part of the second lines thereof north twenty four degrees and thirty minutes west forty nine perches, north twenty nine east twenty eight and one half perches, then south eighty ~~four~~ three degrees and fifteen minutes east two hundred and forty three perches to intersect the ninth line of the whole survey then

with said line south five degrees thirty minutes ~~degrees~~ east eighty poches
then with the tenth and eleventh lines of the whole
survey north sixty nine degrees, thirty minutes west two
hundred and forty six poches to a white oak then
south fifteen degrees forty minutes west fifty one and
four fifth poches to the beginning, containing seventy
six acres of land more or less, and it is further adjudged
that the said Abel Hill Dway have possession of the
premises to him in severalty aforesaid adjudged — It
is further adjudged ordered and decreed, that the said
defendant Abel Hill shall hold in severalty and not
jointly with the parties hereto, or any of them, all that part
of the before mentioned lands, which is described on the
plat, by lott number five, the same being part of lott
number two, beginning for lott number five at the letter
C at the end of eighty three poches on the second line of
the whole tract and running with the second and part
of the third line of said survey North twenty nine degrees East four
poches and one fifth of a perch, then North ten degrees East forty
poches, then South eighty three degrees fifteen minutes East one hundred
and ninety eight poches to intersect the north line of the whole survey
then with said line South five degrees thirty minutes East forty five poches
to intersect lot Number four, then with said Land North eighty three
degrees fifteen minutes West two hundred and eleven poches and one
half of a perch to the beginning containing fifty six acres of Land
more or less; And It is further adjudged that the said Abel Hill
have possession of the premises to him in severalty aforesaid adjudged,
And It is further adjudged, ordered and decreed that the ~~said~~ Defendant
Joseph Hill shall hold in severalty and not jointly

with the parties hereto or any of them all that part of the before mentioned Land, which is described on the plot by Lot Number six, the same being part of Lot Number two beginning for Lot Number six at the letter D at the end of forty perches on the third line of the whole survey and running with said line and the fourth and part of the fifth line North ten degrees East sixteen perches, then North seven degrees West twenty perches then North thirteen degrees East ten perches and one half of a perch then South eighty three degrees fifteen minutes East one hundred and ninety perches and one half of a perch to intersect the ninth line of the whole survey, then with said line South five degrees thirty minutes East forty six perches to intersect Lot Number five then with said Land North eighty three degrees fifteen minutes West one hundred and ninety eight perches to the beginning containing fifty five acres of Land more or less, And it is further adjudged that the said Joseph Hill have possession of the premises aforesaid to him in severalty adjudged, And It is further adjudged, ordered, and decreed that the said Defendant Morgan Hill shall hold in severalty and not jointly with the parties hereto or any of them, all that part of the before mentioned lands which is described on the Plot by Lot Number seven, the same being part of Lot Number two, Beginning for Lot Number seven at the letter E at the end of ten and an half perches on the fifth line of the whole survey, and running with said line and the sixth seventh eighth and part of the ninth line North thirteen degrees East, thirteen and an half perches, North twenty four degrees thirty minutes West thirty four perches, South eighty degrees forty five minutes East one hundred and seventy four perches, North seventy two degrees thirty minutes East twenty five perches, South five degrees thirty minutes East forty six perches to intersect Lot Number six, then with said Land North eighty three degrees fifteen minutes West one hundred and ninety and an half perches to the beginning containing forty six acres of Land more or less, And It is further adjudged that the said Morgan Hill have possession of the premises aforesaid

to him in severally adjudged —

A L Hanson Chair.

17899-1540

Dawy
v
Hill
argum.

Jeningham Drury & Abel Hill Drury against Abel Hill, Joseph Hill and Morgan Hill } In Chancery

It is agreed that the commissioners returned be confirmed — It is also agreed that lott No 3 shall be deemed to Abel Hill Drury, lott No 4 to Jeningham Drury, lott No 5 to Abel Hill, lott No 6 to Joseph Hill — and lott No 7 to Morgan Hill

In witness whereof the said Jeningham Drury, for himself, and as next friend and natural guardian to his son Abel Hill Drury, the said Abel Hill, Junior, for himself and Abel Hill, Senior, the guardian of Joseph and Morgan Hill have this Twelfth day of April 1805 hereto set their names and seals

Jeningham Drury (Seal)
Abel Hill Junr (Seal)
Abel Hill Senr (Seal)

Test
Benja Allen

17898-1540

To the Honourable

The Chancellor

of Maryland

Filed 29 - 1805

Commissioners Return

To the Honor.le Alexander Contee Hanson Chancellor of Maryland.

Jerningham Drury and Abel Hill Drury Compl.ts
ag.t
Abel Hill, Joseph Hill and Morgan Hill Def.ts

Pursuant to an Order from the High Court of Chancery directed to us the Subscribers: We (being first Qualified) enter'd upon, Walk'd over, and Survey'd part of the two Tracts, or parcels of Land specified in said Order, and have Made a platt of the same, and find from actual Survey agreeable to the papers laid before us, that the said two parts of Tracts of Land Contain Three hundred and four Acres. —

We then proceeded to Make the several partitions as directed, in Manner and form following, as will More fully, and Clearly appear by Reference being had to the annex'd platt Viz.t — First We divided said Lands into two equal parts in Quantity, and Quality. No. 1 Contains One hundred forty Seven Acres of Land, and No. 2. Contains One hundred fifty Seven Acres of Land. — The parties Interested then Mutually agreed for the plaintiffs to have and possess the Lott No. 1. and the Defendants to have and possess the Lott No. 2. —

We then proceeded to divide One Moiety, or half part, Lott No. 1 into two equal parts in Quantity, and Quality, that is to say No. 3. Contains Seventy Six Acres of Land, and Lott No. 4. Contains Seventy One Acres of Land. — We then divided the Other Moiety Or half part of Land No. 2. into three equal parts in Quantity, and Quality, that is to Say Lott No. 5 Contains Fifty Six Acres of Land, Lott No. 6. Contains Fifty five Acres of

17898-1540

of Land and Lott No. 7 Contains Forty Six Acres of Land. — Two of the Defendants, that is to say Joseph Hill, and Morgan Hill by, and through their Guardian Abel Hill Senr. agree that Abel Hill Junr. the other Defendant (he being of the age of Twenty one Years or upwards) that he the said Abel should have, and possess Lotte No. 5.

All of which is Humbly Submitted to Your Honour

Sam Harrison (Seal)

Benj. Allen (Seal)

Thomas Tillman (Seal)

March 20th 1805

Jerningham Drury and
Abel Hill Drury
vs
Abel Hill, Joseph Hill
and Morgan Hill

~~Decree~~

Interlocutory decree
Passed March 4, 1805

Jerningham Drury and
Abel Hill Drury

vs

Abel Hill, Joseph Hill
and Morgan Hill

In Chancery
February term 1805

This cause standing ready for decision on the Bill and Answers, and being submitted, the said Bill, Answers, and all other proceedings were by the Chancellor read and considered, and it appearing to him on examination of all circumstances, that it will be for the Interest and advantage of all parties concerned to make partition of the Land in the Bill mentioned as prayed. It is thereupon this fourth day of March eighteen hundred and five by Alexander Contee Hanson Chancellor and by the authority of this Court adjudged, ordered, and decreed that there be a partition of the Tracts of Land following To wit, two tracts, or parts of tracts, or parcels of Land called Birkheads Parcel and Birkheads Meadow containing about three hundred acres of Land situate in Ann Arundel County, between the Complainants and Defendants, and to the end that this Court may be enabled to make just partition thereof It is ordered that a commission issue to Samuel Harrison, Benjamin Allen and Thomas Sellman authorizing them or any two of them to enter upon, walk over, and survey the said Lands and divide the same into five unequal parts as follows to wit, the said Lands to be in the first place divided into equal and exact moieties one moiety to be then divided into two equal and exact parts, and the other moiety thereof to be divided into three equal and exact parts, and directing them to make out a plat and certificate of the said Land and of the division thereof with the beginning, courses and an accurate description of said Land, and of each of the said five parts, and to the said Commission there shall be annexed an oath of Office as usual.

A C Hanson Chan.

No 1882

17898-1540

Drury
against
Hills

Commission
to
divide Lands

Maryland Sc.

The State of Maryland To Samuel Harrison, Benjamin Allen and Thomas Sellman of Anne Arundel County Greeting Know ye that we have pursuant to an Order of our high Court of Chancery this day passed in a suit therein depending between Jermingham Drury and Abel Hill Drury Complainants and Abel Hill Joseph Hill and Morgan Hill defendants, fully authorized and empowered you or any two of you to go to, enter upon walk over and survey two Tracts or parts of tracts or Parcels of land called Birkheads Parcel and Birkheads Meadow containing about three hun=dred Acres and to separate the same into two parts equal as may be in quantity and quality and divide one of the said two moieties or half parts into two parts equal as may be in quantity and quality and the other moiety or half part into three parts equal as may be in quantity and quality and to make out a plat of the said land with a certificate of the Beginning and Courses and an accu=rate description thereof and of each part accord=ing to the division by you made and when you shall have so done you or any two of you who shall act are to certify and return into our said Court of Chancery without delay your

17898-1540

Acts and proceedings in the premises by your Certificate distinctly and plainly written closed up and under the your several seals or the seals of such ~~the~~ two of you as shall act. Provided nevertheless that before you or any of you shall act in the premises you or such of you as acts act shall each take the Oath hereunto annexed, and we do give any two or one of you full power and authority jointly or severally to administer such Oath upon the holy Evangelist Witness the honorable Alexander Contee Hanson Chancellor this fourth day of March in the year of our lord one thousand eight hundred and five —

Samuel Harvey Howard
Reg. Cur. Can

# Commissioners Oath

You shall according to the best of your Skill and Judgment make the Partition directed by the Commission hereto annexed, and in all things truly and faithfully execute the powers given and perform the duties required of you by the Commission without favour or partiality to, or prejudice or ill will against any person whatever interested therein

So help you God

March 13th. 1805 I hereby Certify that Samuel Harrison and Thomas Sellman ~~to the above Oath~~ Qualified to the annexed commission in the words of the above Oath —

Benj^a Allein

March 13th. 1805 I hereby Certify that Benjamin Allein Qualified to the annexed Commission in the words of the above Oath

Sam^l Harrison

ep 18 Jany 1805

Returned 15 February 1805

MARYLAND, ss. The State of MARYLAND to Samuel Hanson

of Ann Arundel County, Greeting:

Whereas Jermingham Drury & Abel Gill Drury

hath lately exhibited their Bill of complaint before us, in our High Court of Chancery, against Joseph Hill & Morgan Hill

Defendants,

and whereas we have by our writ lately commanded the said Defendants to appear before us, in our said Chancery, at a certain day, now past, to answer the said Bill but for as much as the said Defendants

are infants

under age, and cannot answer the said Bill nor defend this suit, without having a guardian assigned in that behalf; Know ye, therefore, that we have given unto you, any three or two of you, full power and authority, in pursuance of the special order of our said court, to assign and appoint a guardian for the aforesaid infants, and to take the answer of the said infants, by such guardian to the said Bill and therefore we command you, any three or two of you, that at such certain day and place as you shall think fit, you go to the said Defendants, if they cannot conveniently come to you, and assign and appoint a guardian for the aforesaid infants, and take the answers of the said infants by such guardian, to the said Bill

on such guardian's corporal oath, upon the Holy Evangely, to be administered by you, any three or two of you, the said answers being distinctly and plainly wrote; and when you shall have so taken the said answers, you are to send the same, closed up under the seals of you, any three or two of you, together with your certificate of your having assigned and appointed such guardian as aforesaid, and this writ, unto us, in our said Chancery. Witness the honourable Alexander Contee Hanson, Chancellor, this 10th day of January Anno Domini 1805

Test.

Samuel H Howard Reg Cur Cancy

17898-1540

Return & answer

To the honorable Alexander C Hanson Esquire
Chancellor of Maryland

I hereby certify that in pursuance of the annexed commission to me directed I caused the said Joseph Hill and Morgan Hill at a certain time and place by me previously appointed to appear before me, and did then and there appoint Abel Hill their guardian to answer to the bill of said Jenning Lane Drury and Abel Hill Drury filed against them and that I have taken the answers of said infants on the corporal oath of said guardian by me administered and now transmit the same together with the commission given under my hand this 11th day of February 1805

Saml Harrison

17898-1540

Platt and Certificates of part of Birkheads parcel and part of Birkheads Meadows for Drury's & Mills

Filed 29th Mar 1805

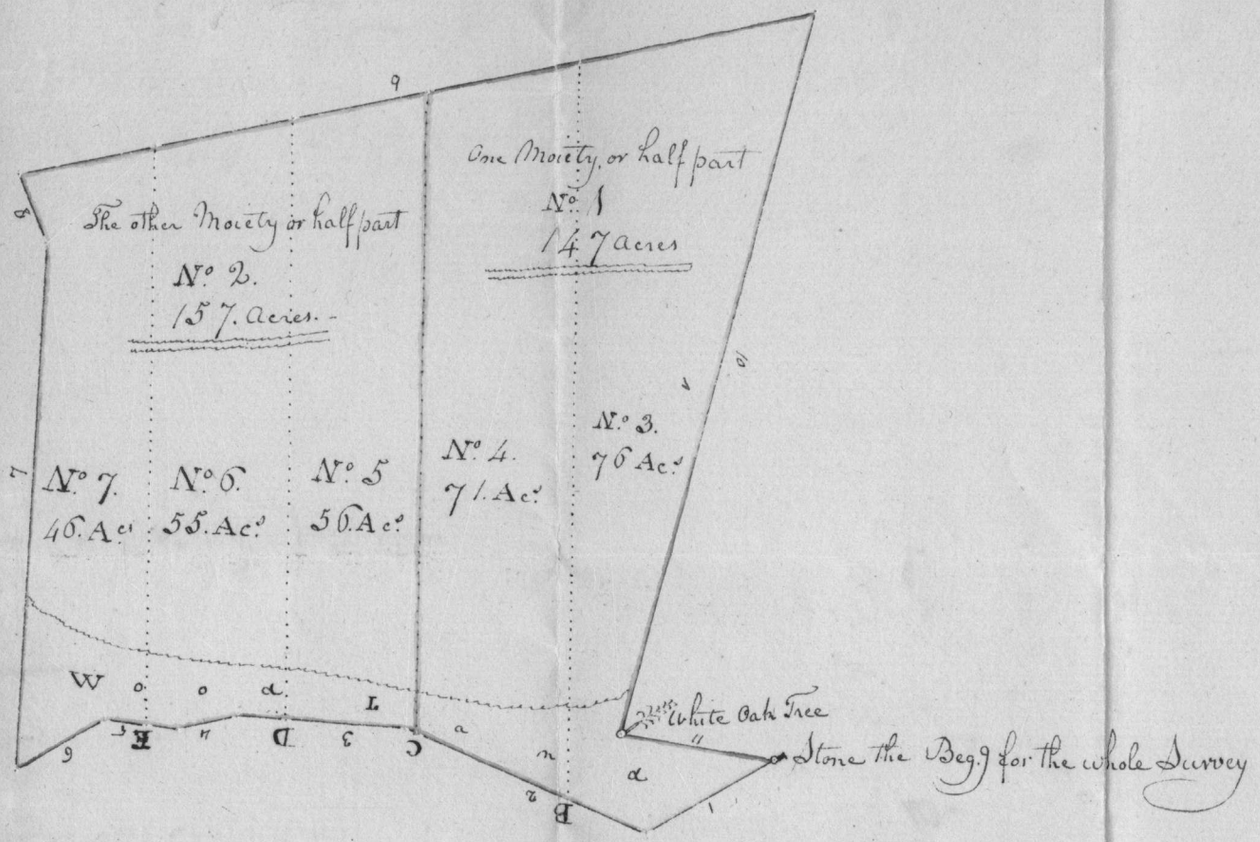
April 5th 1805.

Examined and passed.

Rachel Stevens. Cy.

This paper does not belong in the Case

# Part of Birkheads Parcel, and part of Birkheads Meadows.




A Table of Courses of the outlines of the whole Survey; Begining at a Stone it Being the Second Boundar of Birkheads Parcel and lining with the 2nd line thereof

No. 1. . N. 24. 30. . W. 49 Pls. to the land of Mr. ~~Bennet~~ Richard Darnal, then with said Darnall's Land the 5 following Courses and distances to wit. —

2. N. 29. . E. . 87 1/5 Pls.
3. N. 10 . . E. . 56.
4. N. 7. . W. . 20

A Table of Courses of Lott No. 4. Begining at the ~~Better~~ B. at the end of 28½ Pls. on the second line of the whole Survey, and lining with said line

N. 29. . . E. . 54½ Pls. then
L. 83. 15. E. . 211½ Pls. to the 9th line of the whole survey, then with said line
L. 5. 30. E. . 51 Pls. to Intersect Lott No. 3. then with said land
N. 83. 15. W. . 243 Pls. to the Beg.g Containing 71 Acres of Land More or Less. —

5. N. 13 . . E. . 24

6. N. 24. 30. W. . . 34 to Intersect the 3rd line of said Land then with the 3rd line

7. S. 80. 45. . E. 174 in the low Grounds of great Swamp or Branch, where it is said the 4th Boundar of Birkheads parcel, and the first of Birkheads Meadows Originally Stood then with the first line of Birkheads Meadows

8. N. 72. 30. E. . 25 Pl. then

9. S. 5. 30 E. . 268 Pl. then

10. N. 69. 30. W. 246 Pl. to a Bounded White Oak then

11. S. 15. 40. W. 51 4/5 Pl. to the Beg.g Containing and Now Laid out for 304 Acres of Land More or Less. —

A Table of Courses of Lott No. 3. Beg.g at a Stone it Being the Begining of the whole Survey, and Running with the first, and part of the second Lines thereof

N. 24. 30. . W. . 49 Pl.

N. 29. . . E. . 28 1/2 Pl. then

S. 83. 15. . E. . 243 Pl. to the Intersect the 9th line of the whole Survey then with said line

S. 5. 30. . E. 80 Pl. then with the 10th & 11th lines of the whole Survey

N. 69. 30 . . W. . 246 to a white Oak

S. 15. 40. . W. 51 4/5 Pl. to the Beg.g Containing and Now Laid out for 76 Acres of Land More or Less. —

A Table of Courses of Lott No. 5. Beg.g at the Letter C. at the end of 83 Pl. on the second line of the whole Survey and Running with the second and part of the third line of said Survey

N. 29. . . E. . 4 1/5 Pl. then

N. 10 . . E. . 40 Pl. then

S. 83. 15. . E. . 198 Pl. to Intersect the 9th line of the whole Survey then with said line

S. 5. 30. . E. . 45 to Intersect Lott No. 4. then with s.d land

N. 83. 15. . W. . 211 1/2 Pl. to the Beg.g Conta.g 56 Acres of Land More or Less. —

A Table of Courses of Lott No. 6. Beg.g at the Letter D. at the end of 10 Pl. on the 3rd line of the whole Survey, and Running with said line, the 4th and part of the fifth lines. —

N. 10 . . E. . . 16

N. 7 . . W. . 20

N. 13 . . E. . 10 1/2 then

S. 83. 15. . E. . 190 1/2 to Intersect the 9th line of the whole Survey, then with said line

S. 5. 30. . E. . . 46 Pl. to Inte.t Lott No. 5. then with s.d Land

N. 83. 15. W. . . 198 Pl. to the Beg.g Conta.g 55 Acres of Land More or Less. —

A Table of Courses of Lott No. 7. Beg.g at the Letter E. at the end of 10 1/2 Pl. on the 5th line of the whole Survey, and Running with said line and the 6th, 7th & 8th and part of the 9th Lines

N. 13. . E. . 13 1/2 Pl.

N. 24. 30. W. . 34 Pl.

S. 80. 45. E. . 174 Pl.

N. 72. 30. E. . 25 Pl.

S. 5. 30. E. . 46 Pl. to Inter.t Lott No. 6. then with said Land

N. 83. 15. W. 190 1/2 Pl. to the Beg.g Cont.g 46 Acres of Land More or Less. —

By a Scale of 60 equal parts March 20. 1805

Thomas Tellman