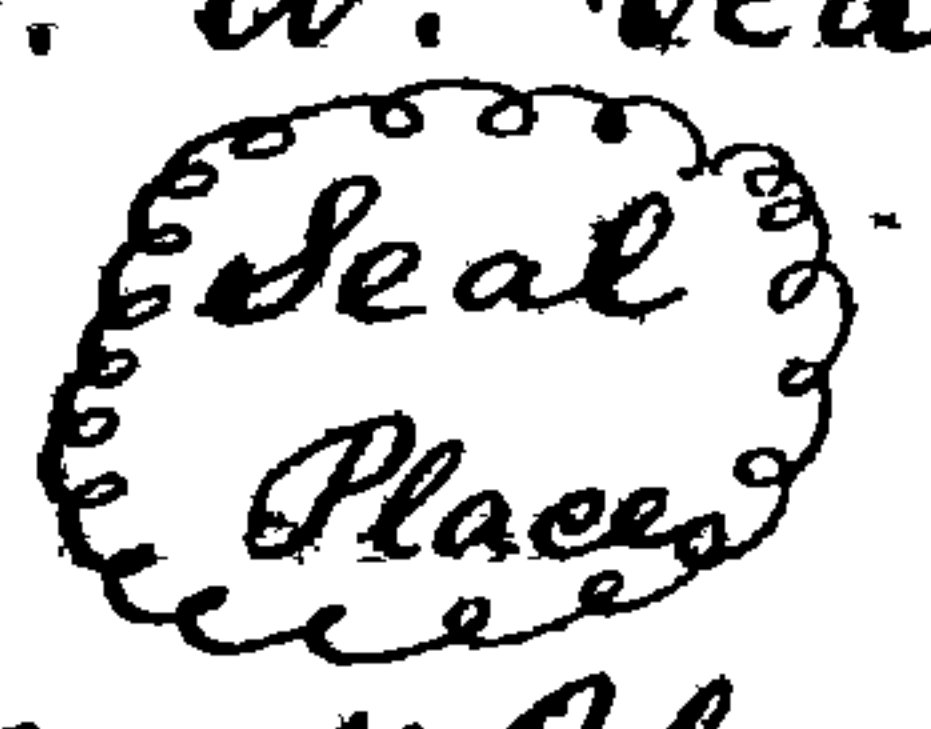


respective interests, To the ends therefore that the said Margaret Marken widow of said Samuel Marken, John Marken and Catharine Marken his wife, and Elias Marken may answer the premises; and that a decree may be passed for a partition of the aforesaid real estate, among the parties aforesaid, or in case a partition thereof cannot be effected, then that the same may be sold under the direction of this Court, and the proceeds thereof distributed among the said parties in proportion to their respective interests; and that your complainants may have such other and further relief in the premises as the nature and Equity of their case may require, May it please your Honor to grant to your complainants an order of publication giving notice to the said John Marken who is a non resident as before stated of the substance and object of this bill and warning him to be and appear in this Court in person or by Solicitor on or before a certain day, to answer the premises and show cause if any he has why a decree should not pass as prayed, and also a writ of Subpoena against the said Margaret Marken, Catharine Marken wife of John Marken, Henry Marken and Eliza Marken and Elias Marken of Frederick County commanding them to appear in this Court by a certain day to be therein named to answer the premises, and abide by, and perform such decree as may be passed therein and may it also please your Honor to order and direct a commission to five discreet and sensible men of Frederick County authorizing them or a majority of them to view and value said estate and to report to this Court whether the same is susceptible of partition or not, and if not susceptible of division the value thereof and to proceed therein according to the Act of Assembly in such case made and provided, and your complainants will ever pray &c.

Wm. J. Ruff, Sol<sup>r</sup> for Complainants.

Exhibit  
No 1

The State of Maryland, To all persons to whom these presents shall come greeting,  
Sho. W. Beazey  
  
 Theodorick Bland, Ch. Know ye that whereas Samuel Marken of Frederick County, by his petition to the Honorable the Chancellor did set forth that the petitioner, on the twenty seventh day of May, eighteen hundred and thirty six, obtained out of the Western Shore Land office, a special warrant, to resurvey part of a tract or parcel of land called Egypt, lying in the County aforesaid, originally on the sixteenth day of June, seventeen hundred and seventy three, granted Daniel Arnold for 423 Acres, with liberty of correcting errors and adding any contiguous vacancy, in pursuance whereof a resurvey was made, and a certificate thereof returned called "Good Luck" by which it appeared that there was included in the resurvey, part of a tract called "The Resurvey on Piney Grove" which tract was not mentioned in the Warrant, that the parts of the two tracts of land resurveyed as aforesaid, were found to contain with one acre, one rood and thirty two perches of vacant land added, the quantity of 94 acres, one rood and twenty six perches, for which vacancy he had fully compounded according to Law, But upon application to the Land Office for his Patent, found that an objection existed against its issuing, because the tract called "The Resurvey on Piney Grove" was included in the resurvey called "Good Luck" by the Surveyor without my authority to do so under the Warrant of resurvey, the said tract not having been named in the Warrant, the petitioner wishing to avoid the trouble and expense of another resurvey, and as the mistake or omission in the Warrant, could not affect the State or an individual, therefore prayed that his Honor would direct a patent to issue to him for the said land called "Good Luck", Whereupon it was ordered by the Chancellor that patent should