

commissioners to lay off and assign the plaintiff's dower in this property, leave sufficient latitude for them to report specially all circumstances; and also in the alternative. So that the final decree may be adjusted to suit the case, after the parties have been heard. As to the rents and profits the case will be sent to the auditor.

*Decreed*, that the said *Hannah K. Chase*, the plaintiff, is entitled to dower in all that messuage, tenement, and lot of land in the proceedings mentioned, called the Fountain Inn. And to the end that this court may be enabled to make a just assignment to the plaintiff of her dower in the aforesaid messuage, lands and tenements, it is ordered, that a commission issue to *Benjamin C. Ridgate*, *William Magruder*, *James Mosher*, and *Robert C. Long*, of the city of Baltimore, authorizing them or any three of them to go upon, walk over, survey, lay off and designate one-third part of the said premises as and for the dower of the said plaintiff in the same; and that the said commissioners be directed in the commission to make out a plot and certificate exhibiting an accurate description of the third part or dower so by them laid out. And if they shall be of opinion, that the said messuage and lot of land cannot be divided, in the manner which they shall so specify, without injury to the same, and disadvantage to the parties, they shall express their reasons for such opinion, state all circumstances they may deem material, and proceed to designate and describe specially in what other manner the said plaintiff may be endowed of the said property, without any, or with less injury thereto, and

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On this view of the case, I should deem it proper to confirm the return if an examination of the plot had been made according to the rule of the court; that not being the case, the decision will be postponed till March term, the order of December term 1819 being still in force as to the survey and procuring testimony in support of the objections against them.

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The plots having on motion been delivered as ordered, to the solicitor of the party, were laid before the examiner general, and after having been revised by him, were again returned to the court. After which the commissioners made and returned a valuation of the lands, of which they had made partition, but the valuation is not mentioned in the final decree.

26th January, 1822.—*JOHNSON, Chancellor*.—Decreed, that the partition so made, &c. &c. “And for the purpose of making an equal division in value, it is further adjudged, ordered and decreed, that Unit Corse and wife, pay to Rebecca R. Stewart, the sum of one thousand and ninety-seven dollars, thirty-three and one-third cents, and to James Polk and wife, the sum of five hundred and thirty dollars, and eighty-three and one-third cents, which said sums of money are adjudged and declared to be a lien on lot number one in this decree mentioned. Each party to these proceedings to bear an equal proportion of the costs of these proceedings.”