

*Christopher Hughes*, their father, died intestate and seized in fee simple of sundry parcels of land and real estate lying and being in Baltimore county and in Anne Arundel county, leaving a widow, *Peggy Hughes*, and six children; that is to say, the said petitioners, who are both of full age; and *Peggy*, who has intermarried with *Samuel Moore*; *Louisa Armistead*, who heretofore intermarried with *George Armistead*, since deceased; *Mary*, who has intermarried with *Horatio G. Armstrong*; and *Juliana*, who has intermarried with *Charles M. Thruston*; to whom the said real estate has descended. And the said petitioners allege, that the parties so entitled cannot agree upon a division thereof; they have therefore prayed, that partition of the said estate may be made among the aforesaid heirs according to their several just proportions, agreeably to the act of assembly in such case made and provided; which said prayer hath been granted: and it being suggested to the Chancellor, that you are discreet and sensible men within the said county; and the Chancellor having great confidence in your prudence and integrity, hath therefore assigned, commissioned, and appointed; and doth hereby assign, commission and appoint you, or a majority of you, having first taken the oath hereto annexed, to adjudge and determine whether the said estate will admit of being divided without loss or injury to all the parties entitled, and to ascertain the value of the said estate in lawful money, taking into consideration any incumbrances thereon; and to ascertain the value of the said estate subject to the incumbrances; and if the said estate can, in your opinion and judgment, or in the opinion and judgment of a majority of you, be divided without loss and injury to all the parties entitled, then to divide and make partition of the same fairly and equally in value, among all the parties interested, according to their several just proportions; or if the said estate cannot be divided equally and fairly among all the parties interested according to their several just proportions, then you, or a majority of you, shall divide the estate into as many parts as it is susceptible of, without loss and injury to all the parties entitled, and ascertain the value of each part of such estate in lawful money, subject to any incumbrance thereon; and if, in your opinion and judgment, or in the opinion and judgment of a majority of you, the said estate cannot be divided without loss or injury to all the parties, then you, or a majority of you, shall make return to our Court of Chancery of your judgment, and the reasons upon which the same was formed, and the real value of the said estate in lawful money, subject to the incumbrance if any thereon; and if you, or a majority of you, shall determine that the said estate can be divided in either of the ways herein before mentioned, without loss and injury to all parties, then you shall cause the lands to be surveyed and laid out by the county surveyor, or such other person as you may think qualified, for the several parties in case the estate consists of lands; and if the said estate shall be equally divided among