

CHAP. 247. and parcels of land, and of one undivided moiety or half part of one other tract or parcel of land, leaving four children his heirs at law, that the said Sarah Winchester, formerly Sarah Murphy, died seized in fee in one undivided half part of the said tract or parcel of land, (of which the aforesaid Thomas Murphy died seized in fee of the other undivided half,) devising the same to the said four children of him the said Thomas Murphy and of her the said Sarah Winchester, formerly Sarah Murphy; *and whereas*, it is further represented that the said Philemon T. Murphy, has arrived at the age of twenty-one years, and is desirous of getting a division of the said estates; *and whereas*, it is represented that the said estates conjointly can be divided to advantage into four parts, and without loss or injury to any of the parties concerned, but that the same may not be capable of being divided equally and fairly in value, between all the parties interested, and it may be necessary to tax one or more divisions to equalize the same—therefore,

County court
to issue com-
mission

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the county court of Queen Anne's county, be and is hereby authorized and empowered on application by any of the said children and heirs at law of Thomas Murphy and devisees of Sarah Winchester, late Sarah Murphy, of Queen Anne's county, deceased, being of full age or of other persons concerned, to issue a commission to divide the real estate which descended to Philemon T. Murphy, Thomas Murphy, Anna Maria Murphy and James Massey Murphy from their father Thomas Murphy, and also the estate which was devised to them by their mother Sarah Winchester, formerly Sarah Murphy, in the same manner as if the said estates had been derived from one common ancestor, and according to the provisions of the acts of Assembly entitled, an act to amend and reduce into one system the law to direct descents, and the several supplements thereto.

Court may
make allot-
ment

SEC. 2. *And be it enacted*, That if the said estates conjointly, will not admit of being divided fairly and equally in value, between all the parties entitled according to their several just proportions without loss or injury to all interested, but that the said estates will admit of being divided into as many parts as there are persons entitled to advantage, and without loss and injury as aforesaid, then the said Queen Anne's county court, be and is hereby authorized and empowered to make allotment of the said divisions to the respective heirs at law and devisees, and to tax the division or divisions of greater value, and assign the sum of money so taxed thereon or a part thereof, to the division or divisions of less value, so as to equalize all the said divisions, to be

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