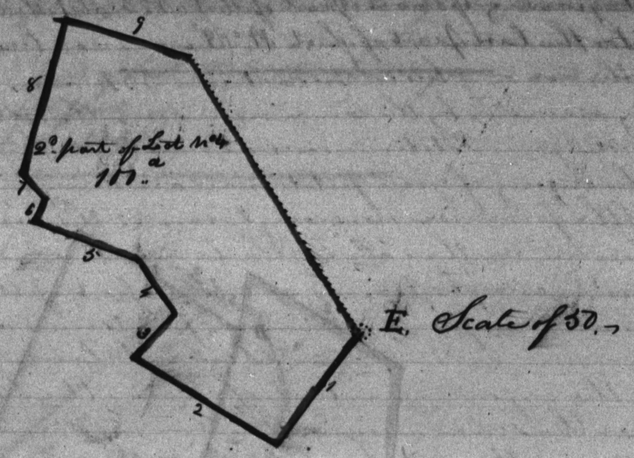
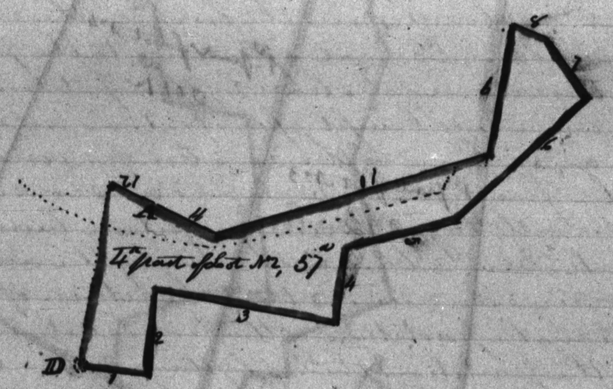
E, the beginning of the 2d part of Lot No. 4 lines shaded red and numbered to 9 shews said part.





D, The beginning of the 4th and last part of Lot No. 2 lines shaded green and numbered to 12 shews said part.
A, shews a part of said Lot lost in an elder survey but contains clear 57.a

And afterwards to wit on the seventh day of January eighteen hundred and forty five John Bennett and Thomas Hodges of Walter and Matilda Ann his wife and Henry Cooley and Edney his wife by Richard J Bowie Esquire their Solicitor filed in the said cause their petition in the words following to wit — To the Honorable Theodorick Bland Chancellor of Maryland The petition of John Bennett, Thomas Hodges of Walter and Matilda Ann his wife, Henry Cooley and Edney his wife respectfully showeth that a commission heretofore issued out of your Honorable Court in the case of John Bennett Thomas Hodges of Walter and Matilda Ann his wife vs Henry Cooley and wife and others to certain commissioners therein named directing them to survey and make partition of the lands of which a certain William Bennett late of Montgomery County died seized and possessed and make return thereof accordingly Your petitioners further shew that the said commission was executed and the commissioners made a return of the same with plats and

certificates annexed all of which have been duly filed with the Register of this Court, Your petitioners further show that pursuant to the rules of this Court said plats and certificates were referred to the Examiner General who ascertained by calculation that the third part of Lot No. 1, which was assigned to the minor heirs of said Bennett, subject to the dower of his widow contains 55¼ acres instead of 45¼ acres the quantity assumed by the commissioners in the division and partition of said lands, Your Petitioners are advised that the said error if any operates only to the injury of your petitioners and being informed that an actual survey of the premises necessary to correct the error will cost more than the difference in the value of the land to be acquired by them they pray the said error may be waived and the report of the said commissioners ratified and confirmed and your petitioners as in duty bound will ever pray —

Richd. J Bowie Solr. for Petrs.

And on the day and year last aforesaid the Chancellor passed his decree in the said cause in the words following to wit —

Bennett and others against Cooley and others } In Chancery — December Term 1844.

This cause standing ready for hearing and being submitted and the error in the said survey asserted by the Examiner General operating to the prejudice of the said adult parties alone who have by their petition filed on the seventh instant waived all benefit of correction and prayed that the said survey and return of the said Commissioners might be confirmed the proceedings were read and considered, It is thereupon this the seventh day of January eighteen hundred and forty five by Theodorick Bland Chancellor and by the authority of this Court adjudged ordered and decreed that the return of the Commissioners appointed to make partition of the real estate in the proceedings mentioned, and the partition thereof by them made, be and the same are hereby ratified and confirmed, and it is further adjudged ordered and decreed, that the complainant John Bennett, shall hold in severalty and not jointly or in common with the other parties to this suit, all that part of the land in the proceedings mentioned, which is described in the return of the aforesaid commissioners and the plats accompanying the same as Lot No. 4 in three separate parts beginning described and laid out by metes and bounds courses and distances as therein particularly set forth, as upon reference thereto will fully appear and containing in all, Three hundred and thirty eight and three acres ~~of land~~ — And it is further adjudged ordered and decreed that the complainant Matilda Ann wife of Thomas Hodges, shall hold in severalty and not jointly or in common, with the other parties to this suit, all that part of the land in the proceedings mentioned which is described in the return of the aforesaid commissioners and the plats accompanying the same as Lot No. 3 in two parts beginning, laid out and described by metes and bounds courses and distances as therein particularly set forth as upon reference to the said return and plats will more fully appear, containing three hundred and twenty and seven eighths acres — And it is further adjudged ordered and decreed, that the defendant Edney wife of Henry