

To the Senate and House of Representatives of the State of Delaware. the
Petition of Anne Mifflin ^{widow} in Behalf of herself and of Samuel E Mifflin and Lemuel
Mifflin her Children, Infants under the Age of twenty one years, Clayton Cowgill in Behalf
of himself and of Warner Cowgill and Daniel Cowgill his Children, Infants under the Age
of twenty one years; Warner Mifflin, Sarah Mifflin, and Thomas Rasin in Behalf
of Elizabeth Rasin and Abraham Rasin, Infants under the Age of twenty one years,
his Ward,

respectfully sheweth,

That Warner Mifflin late of Mundenhile Hundred in
the County of Kent, deceased, in his life Time, made a Sketch of his last Will and
Testament, in Writing, but died before he had perfected the same, and without
having had the same attested in due Form of Law: That the said Warner Mifflin
afterwards, in his last Sickness, made Declarations to Samuel Howell now also
deceased, respecting the Disposition of his Estate, conformably to the written
Instrument left by him as aforesaid, but died before the same was completed
and legally executed, whereby the said Warner Mifflin died intestate so far as
regards his Lands and Tenements: That the said Warner Mifflin left to survive
him Anne Mifflin your Petitioner, his widow, and Elizabeth late the wife of
Clayton Cowgill your Petitioner, Ann late the wife of Warner Rasin, Warner
Mifflin your Petitioner, Susanna late the wife of John Cowgill, and Sarah
Mifflin your Petitioner, the Children of the said Warner Mifflin deceased, and of
Elizabeth his former wife, long since dead; and also Samuel E Mifflin and
Lemuel Mifflin the Children of the said Warner Mifflin deceased, and of the said
Anne Mifflin your Petitioner, his last wife.

That the said Warner Mifflin deceased, at the Time of his Death, was
Owner of a certain Tract or Parcel of Land situate in Mundenhile Hundred, whereon he
resided in his life Time containing about 301 Acres and 87 perches; also of ^{two} other
Parcels of Land situate on Cow Marsh, in the Hundred aforesaid, one containing about
444 Acres and 117 Perches, the other containing about 165 Acres and 132 Perches;
also of one other Parcel of Land in Dover Hundred, containing about 438 Acres and
63 perches; also of about 333 Acres being one undivided third part of another
Parcel of Land situate in Marshhope, in Sussex Hundred; and also of one other
Parcel of Land situate in Little Creek Hundred, containing about 267 Acres and 39
Perches, and a large Body of Marsh thereto adjoining.

That since the Death of the said Warner Mifflin, Elizabeth, the wife
of the said Clayton Cowgill, hath died, leaving her said Husband and two Children,
Warner Cowgill and Daniel Cowgill, Infants under the Age of twenty one years,
to survive her; and the said Warner Rasin and Ann his wife have both
since died, leaving issue two Children, Elizabeth Rasin and Abraham
Rasin, Infants under the Age of twenty one years.

That the said Elizabeth the former wife of the said

Warner Mifflin deceased, at the Time of her Death, was Owner of a certain Parcel of Land situate in Murderkill Hundred, adjoining the Mansion Plantation of the said Warner Mifflin deceased, containing about 380 Acres, and 43 Perches, which, by Law, is to be distributed by equal Portions, to and among the Children of the said Elizabeth, and such as legally represent those who are dead, and to their Heirs and Assigns, except that Warner Mifflin your Petitioner, as eldest Son of ^{his} said Mother Elizabeth Mifflin is entitled to two Shares of her real Estate.

That the Children of the said Warner Mifflin deceased and Elizabeth his former Wife, and their legal Representatives and Assigns, hold together and undivided other Parcels of Land situate in Duckcreek Hundred, containing about 492 Acres, and 60 Perches, called and known by the Name of the Manor of Treith; and also one other undivided Parcel of Land situate in Marshyhope in Misspillion Hundred, their Share thereof being about 461 Acres, and 159 Perches, to which said Parcels of Land they derive Title in Equity, from Joseph Galloway late of the Kingdom of Great Britain deceased, Esquire.

That John Lowgile had Issue by his Wife Susanna, which Issue died in the Life Time of the said Susanna, and the said Susanna afterwards died, without leaving any Issue, whereby the said John Lowgile became ^{entitled} to an Estate during his natural Life, in all the Shares and Portions of her the said Susanna, of and in all and singular the Land, Tenements and Hereditaments herein before mentioned; and that the said John Lowgile conveyed and assured his said Estate in the said Land and Premises, to your Petitioner, Clayton Lowgile and Warner Mifflin.

Your Petitioner further shew to the General Assembly, that they are advised, that the Persons entitled to the Land and Premises aforesaid, cannot have Partition made of the same, according to the present Laws of the State, but by three separate and distinct Proceedings; first, as to the real Estate late of the said Warner Mifflin, deceased, by due Course of Law in the Orphans Court; secondly, as to the real Estate late of the said Elizabeth Mifflin, by due Course of Law, in like Manner, in the Orphans Court; and thirdly as to the Land to which they derive Title from Joseph Galloway Esq. deceased, by a Suit in one of the Courts of Common Law, or in the Court of Chancery: That the Expense of three separate Partitions will impose a great and unavoidable Burden upon your Petitioner, at the same Time that such Partitions will be essentially injurious: That by dividing each separate Estate into the Number of Shares equal to the Number of Heirs, each of the said Estates will be cut up into such small Portions as will greatly