

the entire amount of 222<sup>a</sup> 2<sup>c</sup> 10<sup>o</sup> at Eighty-five dollars per acre, making a total of \$18917 80 all of which will appear by reference to the proceedings in said cause No 3847 Equity Your Petitioner further states that the Frederick and Pennsylvania Line R Road passes through said farm, and by condemnation made on the 18th day of February, 1870, condemned two acres three rods and eleven perches and  $\frac{94}{100}$  of a perch of land for the road bed of said Rail Road, and did also by condemnation condemn one acre of land adjoining said road bed and situate near the Monocacy River for the purpose of borrowing the earth thereon to make the necessary embankment and fills necessary for the construction of the Road bed of said Rail Road, and the amount of said condemnation \$1001 has been paid to said George Muddock all of which will fully appear by reference to the plat herewith filed marked Exhibit S A R Your Petitioner further states that at the time of the sale no exceptions were made in the quantity of land offered for sale on account of said Rail Road, and that the 222<sup>a</sup> 2<sup>c</sup> 10<sup>o</sup> ps embrace all the land contained within the outlines of said farm Your petitioner further states that since said sale he has called on said Trustees for a reduction in the purchase money of said farm, on account of the land condemned as aforesaid amounting in the whole 3<sup>a</sup> 3<sup>r</sup> 11<sup>o</sup> ps of land, and for which your petitioner claims a reduction at the rate of Eighty-five dollars per acre And your petitioner further states that said Trustees declined to make said reduction upon the ground that said outlines of said farm embrace land amounting to the quantity advertised to be sold, that said Rail Road Company are not entitled to the fee in said land, but have a mere easement in the land so condemned And that in the advertisement of said property for sale said Trustees notified the public that said Rail Road passed through said farm And also that said Trustees having reported to your Honorable Court the fact that they had then sold said land they had no authority to make said deduction unless by the authority of your Honorable Court Your petitioner therefore prays your Honors to make an order directing the said Arthur Potts and Charles W Ross Trustees aforesaid to allow to your Petitioner the reduction claimed for the land so taken by said Rail Road Company, and your Petitioner ever prays

I Alfred Ritter

It is hereby agreed that the facts stated in the foregoing Petition are true, and that the Court shall decide upon the foregoing statement of facts if said Petitioner is entitled to the reduction claimed, and if the Court shall be of the opinion that said Petitioner is so entitled, they shall pass an order directing said Trustees to make said reduction in the purchase money And if the Court shall be of the opinion that said Petitioner is not entitled to said reduction claimed they shall pass an order dismissing said petition and that the costs of same shall be paid by estate

I Alfred Ritter.

Arthur Potts, } Trustees  
Charles W Ross }

Court's order

No 3847 Equity In the Circuit Court for Frederick County as a Court of Equity The Court having read the petition of I Alfred Ritter filed in this cause together with the agreement of said petitioner, and the Trustees, and having duly considered the same, it is this 11th day of March A D 1873 by the Circuit Court for Frederick County as a Court of Equity and by the authority thereof adjudged, ordered and decreed, that the aforesaid petition, be and the same is hereby dismissed. The estate to pay the costs

W Verris Bourne,

John A Lynch,  
Judges of the Circuit Court