

all of the property and land described in the third paragraph of the annexed advertisement of sale, at and for the sum of Five Hundred and forty dollars, (\$540.00) and I hereby agree to pay that said sum of money therefor, according to the terms of sale mentioned in said advertisement of sale.

Witness my hand and seal this 22nd day of March in the year 1913.

Joseph Toms (seal)

Witness--S. W. Mong.

PETITION & C. AND COURT'S ORDER THEREON.

To the Honorable the Judges of said Court--

The petition of Arthur D. Willard, trustee in the above entitled cause, respectfully shows unto Your Honors--

1st. That on the 25th day of March 1913, Your trustee in the above cause filed his report of sales of real estate in said cause, which said report of sales was finally ratified and confirmed on the 3rd day of May in the year 1913, by Your Honorable Court.

2nd. That your said trustee and petitioner has since discovered in the 2nd paragraph of said report of sales, (being a description of the same real estate described in the second paragraph of the advertisement of sale filed in this cause) a mistake and error occurring in said description, in that Frank L. Stoner assignee of mortgage, when he conveyed or intended to convey said property unto Abraham Toms of W., by deed dated on the 3rd day of July 1896, and duly recorded in liber J. L. J. No. 14 folio 157 etc., one of the land records of said Frederick County, and did not put in said deed a proper description of the property which was sold to the said Abraham Toms of W., by him the said Frank L. Stoner assignee of mortgage etc., as aforesaid, and of which the said Abraham Toms of W., took possession and fully intended to buy, and did buy from the said Frank L. Stoner, assignee etc., as aforesaid, but that the said Frank L. Stoner assignee etc., as aforesaid, in said deed described another property entirely, and which was an error, and which said error it is the desire of your petitioner and trustee to correct, as your said petitioner and trustee intended to sell and did sell the same property which the purchaser thereof to wit Joseph Toms, bought and intended to buy of your petitioner (being the property which the said Abraham Toms of W., bought and took possession of, and died, seized and possessed of, containing 22 acres and 31 square perches of land more or less) whereas the property described and apparently sold in the aforesaid proceedings in the 2nd paragraph of the advertisement of sale, filed in said Cause, contains about 23½ acres of land, more or less and is located about 2½ miles from the tract of land actually sold by the petitioner and trustee as aforesaid, and bought by the said Joseph Toms.

3rd. The land intended to be sold by your trustee and petitioner, and which was actually sold to the said Joseph Toms, as aforesaid, and which said land the said Joseph Toms bought and intended to buy is the property described in a deed from Amelia Baker and Philip Baker to Andrew J. Wolf, dated March 23rd, 1893, and duly recorded in liber J. L. J. No. 3 folio 660 one of the land records of said Frederick County, containing as aforesaid 22 acres and 31 sq. perches of land, more or less, and by Andrew J. Wolf and wife, mortgaged to J. Wm. Payne, and by him assigned to Harriet Culler, and by Harriet L. Culler assigned to Frank L. Stoner, who foreclosed the same in the year 1896, and sold the proper-