

The report states the amount of sales to be \$1.433.90

Dated this 31st day of March 1915.

Harry W. Bowers

Clerk of the Circuit Court for Frederick County.

"The Clarion"

Filed March 31-1915.

Julia A. Fox and husband,

VS.

Anna M. Speak, et al.

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No. 9250 E Q U I T Y.

In the Circuit Court for

Frederick County in Equity.

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To the Honorable the Judges of said Court!:-

The Petition of John A. Clem, purchaser of the real estate in the above entitled cause respectfully represents unto your Honorable Court!:-

1. That your Petitioner became the purchaser of a certain tract or parcel of land situated in Frederick County, from Charles C. Waters, as Trustee, in the aforementioned cause, which said sale was made by said Trustee at Twenty One Dollars per acre to your Petitioner, of a tract or parcel of land formerly belonging to Mary Catherine Biggs, deceased, which said tract as advertised by said Trustee, was said to contain sixty nine acres of land more or less.

2. That on the day of sale and before said property was knocked down by the auctioneer to your Petitioner, your petitioner made inquiry of said trustee as to the acreage contained in the farm to be sold, that if it should contain less than the quantity advertised, that your petitioner advised him and so announced that as the sale was being made by the acre and as all conveyancing was to be at the expence of the purchaser that if the same was surveyed and it contained a less number of acres than advertised that he would have to pay for only the quantity that it actually contained, and your petitioner was also advised at the same time that if said tract contained more than the quantity that was advertised he would in that case be required to pay for the actual amount found to be in said tract.

3. That upon this representation by said Trustee your petitioner because the purchaser of said land decreed to be sold and has complied with the terms of sale by making the deposit as required; that he has had said land decreed to be sold and which was advertised by said Trustee, surveyed by Edward H. Rowe and the actual amount of land contained is found to be but the sum of sixty two acres and ten square perches of land a plat and survey of same being filed herewith as a part of this petition together with a certificate from said Surveyor also a certificate from E. C. Crum County Surveyor as to its correctness as to calculations etc.

4. That said sale is ready for ratification and your petitioner is ready to comply with the terms of sale, but he now comes into your Honorable Court and asks that the report of sales as made by said trustees be so reformed that your petitioner may be required to pay for the actual number of acres found to be in said farm instead of the number reported by said trustee, the total amount due by your petitioner being Thirteen Hundred and three dollars and thirty one cents.

Wherefore your petitioner prays that such order may be passed in the premises as will ratify said sale to your petitioner at the actual number of acres, to wit sixty two acres and ten square perches of land at Twenty one dollars per acre. As in duty &c.

John A. Clem

Petitioner.

I, Charles C. Waters, Trustee, in the foregoing cause do hereby certify that I did make the representations to the petitioner in this cause as stated by him in the foregoing petition.

Charles C. Waters.

Trustee in NO. 9250 Equity.

Ordered that Emory C. Crum Surveyor, make a survey of the property sold to John A. Clem, as mentioned in the above and foregoing petition and report to this Court.

Glenn H. Worthington

Judge Circuit Court.

Filed June 17-1915.

June 10-1915.

Frederick, Md. June 15, 1915.

Judge Glenn H. Worthington, City.

Dear Sir, -Complying with your request I surveyed the property recently purchased by John Clem and located near Appolis, and found the following to be the correct outlines for the same; beginning at