

a point in a spring and running thence so as to include the so called 40 acre ("Exhibit B No.9250 Equity") and the 20 acre (Exhibit A No.9250 Equity) in one general outline, as follows; N 50°W-31.36 ps. to a stone; N 6°E-110 ps. to a stone; S 84 1/2°E-22.72 ps. to a stone; S 0 1/4°W-144.6 ps. to a stone; N 78°E-4.48 ps. to a stake; S 9 1/4°W-51.8ps. to a stone; S 75 3/4°W 66.9 ps. to a red oak stump; N 13 1/2°W 42.2 ps. to a stake; N 50 1/2°W 10.0 ps. to a stake; N 38 1/2°E 46.0 ps. to the beginning. Containing 59 acres, 2 Roods, 23 square perches of land. I also surveyed the woodland and found the following to be correct outlines; beginning at a stone and running thence S 79°E-16.48 ps. to a stone ; N 43 1/2°E-46.6 ps. to a stone; N 64°W-11.5 ps. to a stone; S 46 1/2°W-52 ps. to the beginning. Containing 3 Acres, # Roods, and 5 Square perches of land.

C/B
Charges \$14.20

Filed June 17-1915.

Yours very respectfully
Emory C. Crum
County Surveyor

Julia A. Fox and husband,
Vs.
Anna M. Speak et al.

No.9250 E Q U I T Y.
In the Circuit Court for
Frederick County in Equity.

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The petition and report of sale in the above entitled cause was made to this Court on March 31-1915, representing to the Court the sale, as advertised, of 69 Acres of land, more or less, at \$21-per acre aggregating, according to the report of sale, \$1433.90, The usual order Nisi was passed thereon and published as directed, in the Catactin Clarian, Before the day set for final ratification a petition of the purchaser was presented to the Court, though not then filed, setting forth that at the sale of the property it was announced that if the purchaser would have a survey made of the same that he should pay only for the quantity of land the premises were actually found to contain and it was further set forth that a survey had been made in accordance with this understanding, by Edward H. Rowe who found the total acreage to be 62 Acres, 0 Roods and 10 perches of land. The trustee signed and admission of the truth of the agreement that the purchaser was to pay only for the actual number of acres which the property contained as ascertained by a survey at the expence of the purchaser. The report of Edward H. Rowe as Surveyor was filed with said petition, showing the result of his survey as above 62 A. or 10 P. of land. Not being entirely satisfied with the acreage of Mr. Rowe's survey, the Court requested Emory C. Crum, the County surveyor, to resurvey the property at the expence of the estate. Mr. Crum's report has been made and filed and shows the total number of acres in the property sold, to be as follows; -Part 1.59 Acres 2 Roods and 23 Sq, perches of land. Part 2, Containing 3 Acres 3 Roods and 5 Sq, perches of land, making a total of 63 A. 1 R. and 28 Sq, Ps. which at \$21, per acre aggregates \$1331.92. The Court accepts the survey of Emory C. Crum as correctly describing the property by meets and bounds courses and distances, and his calculation of area as accurate, and therefore holds that John A. Clem the purchaser shall pay for that quantity of land only, that is to say for 63 Acres, 1 Rood and 28 Sq, perches of land at \$21.00 per acre, aggregating \$One Thousand three hundred and thirty one dollars and ninety two cents (\$1,331,92) and hereby amends the report of sale as to the quantity of land and aggregate foreclosure price, in accordance with the finding. It is therefore this 17th day of June 1915 by the Circuit Court for Frederick County, sitting as a Court of Equity, and by authority thereof, adjudged ordered that the sale reported in the above entitled cause by Charles C. Waters, Trustee, on March 31, 1915. be ratified and confirmed, with the amendment, as to the quantity of land sold as above indicated so as to conform to the report of Emory Crum, Surveyor, and the Court finds the total amount of the purchase money, that is the amount of the sale, to be the sum of \$1331.92 anything in the report of sale or in the acknowledgement foreclose, to the contrary notwithstanding, and the papers in the case are hereby refered to the auditor to state an account upon the