been passed. They charge that when they purchased the said Land, it was represented to them by the Trustees or their agent that the said Tract of Land contained seven hundred and seventeen acres of which the said James Neal was entitled to one half or three hundred and fifty eight acres, and a part of said Land was exhibited to your Petitioners by Mr Mary Neal then acting as the agent of the said Trustees which represented the said tract as containing 718 acres. They believed that the said Trustees had fraudulently endeavored to have the said Land surveyed 718 it had not been done and they had sold the undivided half part about July 1854 to Thomas F. Gantt at $1.75 per acre as containing 358 acres which was as fair and annuity. They charge that he having that the said Land did contain the above number of acres they agreed to give the Trustees for the undivided half part supposed to contain 358 acres the sum of 6300, and that they paid about one fourth in cash 1st and not given their Bonds for the residue. 1st Petitioners charge that they have recently had part of the whole tract surveyed for the purpose of division of their Money Firm that belonging to another person and to their great astonishment they find that the whole tract only contains 495 1/2 acres thus making the area of the purchase only 247 1/2 acres instead of 358 acres as they supposed it was when they agreed to purchase it at public sale. They therefore charge that the said Land has proven short nearly one third part of what they supposed to contain when they purchased it. They represent that it would be proved upon that they should be compelled to pay for the said purchase the sum agreed about which they contracted to give when they supposed the said contained 358 acres and they are advised that your Honor will decree that they are entitled to a proportionate deduction in the purchase Money and that they are remediless in the premises without the interposition of your Honor. They therefore pray your Honor to pass an order requiring the Trustees aforesaid to answer the

allegations of the petition, and directing an accurate survey to be made of the Land and further to pass an order directing the Trustees to make a deduction from the purchase Money proportionate to the deficiency in the said Land and they pray that the said sale be not finally ratified by your Honor until such deduction shall have been made and they herewith file the survey and diagram which they have had made of the said Land marked E & C which they pray may be considered as part of the petition.

And they pray that your Honor will grant them such further and relief in the premises as their case and equity may require. And as in duty &c. Randall & Wagner Solr Petitioners

Maryland Calvert County Sct. I hereby certify that on this 1st day of December 1856 before the subscriber a Justice of the peace in and for the State and County aforesaid personally appeared William M. Carand and David Carand and made oath that the matters contained in the foregoing Petition are true as therein set forth to the best of their knowledge and belief.

Jam. Pefrin — J. D. E. Jones J.P.

Filed admitted Nov 13 1856. W. H. G. Dorsey and Thos. J. Rob Solr Trustees &c. for Dorsey.

Exhibit E & C.

Courses and distances for the out lines of the within plat as surveyed by William W. Hoag Surr for Jos Neal's Ever Green Farm

1 Beginning at a stone on the North side of a Dry Bank and running Thence N 1a W 16 pes 2 N 37° E 208 pes 3 N 10° E 24 pes 4 N 87° E 184 pes 5 S 57° W 60 pes to 6 S 46° W 50 pes 7 S 35° W 48 pes 8 S 14° W 40 pes 9 S 18° W 36 pes 10 S 29° E 28 pes 11 N 35° W 7 pes 12 S 78° W 12 pes 13 S 85 W 25 pes 14 S 40° W 19 pes 15 S 37° E 7 pes S 22 1/2 E 26 pes 17 S 87 W 10 pes 18 S 33 1/2 W 16 pes 19 S 10° E 13 pes 20 S 44° W 10 pes 21 S 20 W 25 pes 22 S 22° W 9 pes 23 S 32 1/2 pes W 8 1/2 pes 24 S 79 W 314 pes to the Number of Gunpowder Creek at the River 25 N 35° W 16 1/2 pes