

practicable, they have caused the desired parcel of land to be surveyed by the County Surveyor and a plat of the same to be filed together with a general statement of the case with the clerk of this Court. And it appearing that Thomas J. Jackson Sr. the administrator of Jonathan Darden dec. has had ten days and more notice of this application. It is therefore ordered that R. J. Darden, R. C. Williams & J. Gardner James H. Devany & Jas. R. Tyler freeholders, who are hereby appointed for the purpose (any three of whom may act) do meet on the day of 187 and after being sworn according to law do view the land and after hearing such proper evidence as may be introduced ascertain what will be a just compensation for the land proposed to be taken and certify the same under their hands to the Court.

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This day came Joseph B. Prince assignee of J. C. Bland who alleges that he is aggrieved by an entry in the land book made by James E. Westbrook assessor in the Township of Drewryville in this County in the year 1871, whereby he is charged with \$14.28 taxes for the year 1871 on a tract of land containing 714 acres described as adjoining Joseph W. Bland's land: and thereupon the said Joseph B. Prince assignee moved the Court to exonerate him from the payment of \$4.50 etc. part of the taxes so erroneously charged against him for said year which motion was defended by the attorney for the Commonwealth for said County, and the said James E. Westbrook the Commissioner who made the assessment, was examined as a Witness touching the application. And it appearing that application for redress against the erroneous entry was made on this day for the first time and it appearing that the said Joseph B. Prince is trustee for the benefit of the wife & children of J. C. Bland and that the tract of land charged on the land book to Joseph B. Prince assignee of J. C. Bland as containing 714 acres contains as ascertained by recent survey only 489 acres being charged with taxes on 225 acres too much. All of which the Court certifies as facts proved upon the application aforesaid: On consideration whereof and from such facts so proved, the Court is satisfied that the said Joseph B. Prince assignee as aforesaid is erroneously charged on said book with taxes amounting to \$4.50 etc. and that the erroneous assessment was so made caused by the failure or refusal of the applicant to furnish the assessor, on oath, the necessary information such as the law requires. Whereupon it is ordered that the said Joseph B. Prince assignee be exonerated from the payment of \$4.50 taxes so erroneously charged, if not already paid, and if paid that it be refunded to him.

Ordered that the Court be adjourned till to morrow morning 10 o'clock
J. W. Venghart Judge