

No. 7595. Equity.

thority, but made his bid in good faith supposing that said Trustees could convey to your Petitioner a good and marketable title to said property, and would not have bid upon said property but for his misunderstanding that said Trustees would convey a good and clear title.

Your Petitioner therefore excepts to the ratification of said sale and grants that it be not ratified but rescinded and set aside, and that said Trustees may be directed to return to your Petitioner the said \$50. deposit, and that your Petitioner may have all such and greater relief as the case may require.

And as in duty, &c.

Honor & Honor

Solrs for Petitioner.

No. 7595. Equity.

Exceptions to testimony Filed Nov. 9, 1913

Opinion and Order of Court.

Filed November 17, 1913.

Elizabeth D. Snow et al.

vs.
Ann H. Clagett et al.

} No. 7595. Equity
In the Circuit Court for
Frederick County, in Equity.

The purchaser of the real estate sold in the above entitled case has excepted to the ratification of the sale made to him by the trustees, and which has been reported to this Court for its final action. He assigns as a reason therefor, that the payment of certain legacies under the will of Ann H. Clagett, deceased, were made charges on said real estate, and in support thereof said Will has been admitted to this Court as evidence, an extract of the Will is embodied in the exceptions, which sets forth the bequests and the facts of the Contention relied on. It is further alleged that it does not appear that all of said legacies have been paid, and that they are continuing liens or charges which encumber the title of the real estate sold to the exceptant. There is no doubt that the purchaser is entitled to a title reasonably free from doubt. It is necessary that the title should be all right at