

No. 8369. Equity.

1. That they are parties to the above entitled proceeding and are interested in the real estate therein mentioned.

2. That a private Sale of Said real estate to Francis H. Markell, his wife, has been reported to your Honorable Court by Jacob Whoback and Charles P. Levy, Trustees, at and for the sum of Sixty Dollars (\$60.00) per acre. Said real estate containing 83 acres, 3 rods and 12 perches, making an aggregate price of Two Thousand and twenty nine Dollars and fifty Cents. (\$2295.00) and the Said Report is now awaiting ratification by your Honorable Court.

3. That your Petitioners except and object to the ratification of Said Sale it was impermissibly made to the purchaser in Said Report at \$60.00 per acre, when a responsible bidder had offered \$70.00 per acre for Said property of which higher bid your Petitioners were unaware at the time of Said Sale.

4. That your Petitioners signed the Petition filed in these proceedings on January 5-1909, expressing their desire that Said real estate be sold by Trustees to be appointed by your Honorable Court at private Sale, and stating that they were satisfied and desirous that the trustees to be appointed by the decree of your Honorable Court should sell Said real estate to Francis H. Markell and Mary M. Markell, his wife at and for the sum of \$60.00 per acre, but your Petitioners were informed, understood and believed at the time they signed Said Petition that the offer of the said Francis H. Markell and wife of the sum of \$60.00 per acre for Said real estate, was the highest and only offer that had been made for the purchase of Said property from the Trustees to be appointed by your Honorable Court, and your Petitioners would not have signed Said Petition had they have since learned that George H. Tabler, a responsible bidder, had offered \$70.00 per acre for the Said property.

5. That prior to the signing of Said Petition it was understood by your Petitioners that Messrs. Jacob Whoback and Charles P. Levy would be appointed as the Trustees to sell Said real estate and that the Said offer of \$60.00 per acre by the said Francis Markell and wife, had been made to the said respective Trustees, but your Petitioners, or any of them, did not know until within the past few days, and subsequent to the filing of the Report of Sale in these