

No 3993 Equity

To 3rd Interrogatory

I did, lived within a half a mile of her residence for a long number of years, knew her well, I had, she told me that she had made a will and that she had therein ordered to leave her children equal, her two daughters portions she had left in trust viz: Daniel F Shreve being the trustee of her daughter Mary C Shreve and Benjamin F Shreve being the trustee of her daughter Ann O Shreve, in this conversation I remarked that I thought it was bad policy to leave property in trust, to which she replied that if her said daughters married good men she knew their trustees would permit them, that is the daughters to have exclusive control over their portions, and if they should marry men who would spend their money that their trustees would save it for them

To 4th

They all believe they took a fee simple, I had frequent conversations with them and I know they all believed this, without a doubt, and I know that a bill was filed in the Circuit Court for Montgomery County, as a Court of Equity for the purpose of Partition and the Settlement of the estate among themselves, Examiners were appointed and the division made by them was perfect fair and perfectly satisfactory to all the parties, Ultimately Charles H Shreve one of the complainants in this cause took all the estate in Maryland at the appraisements of said Examiners, and has paid a large share of the purchase money to said heirs, This partition and settlement was an amicable one among the heirs.

Benjamin F Shreve a witness of lawful age produced on part of the complainants having been duly sworn and examined to Interrogatories filed of this date with the Commissioner, deposes and says:

To 1st

Benjamin F Shreve forty three, Frederick County, Maryland.

To 2nd

I am one of them, and know all, have known them all their lives

To 3rd

I did, she was my mother, I had after the execution of the will, it occurred just previous to my leaving for Missouri she remarked, Benny I have made a will and have left your children my property and have left your sisters Mary C and Ann O portion in trust to you and Daniel, I remarked you have a right to make your will as you please but I never will become trustee for my sister, she replied in case her daughters married she did not desire any husband they had to squander their property

To 4th

That they had a fee simple title and a right to dispose of it as they please, The employed Counsel and filed a bill, this Bill was decided upon and this interpretation sustained by the Court as we were informed, Commissioners were appointed to make partition, this was done fairly and Equitable, all of the heirs being satisfied therewith and have remained so, Under this partition and settlement J. Charles H Shreve ultimately elected to take all the estate in Maryland in amount some \$31000. of which sum he has paid more than half and secured the payment of the residue under the knowledge and belief that he had a fee simple title, since the filing of this Bill Daniel F Shreve has departed this life

George Brewer a witness of lawful age produced on part of the complainants, being duly sworn and examined to interrogatories filed with the Commissioner and herewith returned deposes and says,

To 1st

George Brewer, fifty two near Mouth of Monocacy, Montgomery County Maryland

To 2nd

I know them all for many years.