

heirs now living, all being of age, have also executed to the said Charles W. Shreve a good and sufficient deed for the said real estate copies of said deeds are herewith filed marked respectively Nos 5 and 6.

Your complainants further charge that all the real estate of the said testatrix situated in the State of Virginia was taken by Daniel T. Shreve son of the testatrix and only by virtue of a similar understanding and construction of the aforesaid Will, and that the said real estate in Virginia was valued at about nineteen thousand dollars.

Your complainants further charge that in the month of April A. D. 1870 Thomas J. Shreve one of the aforesaid children of the said testatrix died leaving a wife and two children surviving him having been fully paid his entire interest in said estate under said will in his lifetime.

Your complainants further show unto your Honorable Court that your complainant Charles W. Shreve married your complainant Anna E. Shreve and that your complainants have six children as follows: Francis B. Shreve, Richard B. Shreve, Mary E. Shreve, Annie B. Shreve, Charles Elgin Shreve and Thomas Bradley Shreve all infants under twenty one years of age.

That Daniel T. Shreve married a certain Margaret E. Shreve and has two children living as follows; to wit: Richard Florence Shreve, Annie Gertrude Shreve, Daniel T. Shreve, Benjamin F. Shreve, Ellen Beall Shreve, Nora Blake Shreve, Carroll Austin Shreve, Arthur Donald Shreve, Thomas J. Shreve and Margaret E. Shreve all infants under twenty one years of age.

That Thomas J. Shreve a son of testatrix married a certain Rosalie Filghman and died as aforesaid leaving his wife and two children namely Oswald Filghman Shreve and Arthur Leigh Shreve both infants under twenty one years of age.

That Anna O. Shreve married a certain J. E. R. Hood and has two children namely Stanley Hood and Mary Emma Hood both infants under twenty one years of age who reside in Frederick County State of Maryland.

That Benjamin F. Shreve and Arthur B. Shreve have no children and have never married.

Your complainants expressly charge that the children of the said Mary E. Shreve the testatrix took under and by virtue of the said Will an estate in fee or fee tail in the property of the testatrix and that your complainants now have by virtue of said Will, and the proceedings had in the Circuit Court for Montgomery County sitting as a Court of Equity above referred to and the conveyance by the said children of testatrix to the said Charles W. Shreve, that the said Charles W. Shreve is the absolute owner in fee, or fee tail of the whole of the said real estate mentioned in the proceeding in the Cause above referred to being the entire real estate of the testatrix situated in the State of Maryland and mentioned in these proceedings.

Your complainants further charge that doubts have arisen as to the title of the said Charles W. Shreve to the said real estate and it is urged and claimed that the children of the said testatrix Mary E. Shreve under and by virtue of the terms of said last will and testament take only a life estate and the fee is vested in the grand children of the said testatrix, Your complainants expressly charge that such a construction would be utterly at variance with the intention of the testatrix, entirely defeat her maternal wishes cherished through life and result in the grossest wrong and injustice to your complainant Charles W. Shreve and his wife and entire ruin financially and would be and is contrary to Equity and good conscience. This Bill is hereby amended as follows by decree of Court of Appeals of Maryland and order of the Court below.

Your complainants further charge that the said real estate cannot be divided among those entitled to it without loss and injury and that it would be to the interest and advantage of all the parties the life tenants as well as the owners of the fee infants as well as adults to sell the said real estate and to divide the proceeds among them, and if a satisfactory sale cannot be had, then that the said real estate be leased by order of your Honorable Court.

But in as much as your complainant is unable to sell, lease or make any satisfactory disposition of the said real estate or any part thereof by reason of the doubt and cloud upon