No. 6649. Equity.

which real Estate is fully described in deeds conveying the same to the said George W. Crum. Certified copies of which deeds are filed herewith marked Exhibits Viz. 2. 3. 4. 5. 6. 7. 8. 9. 10 & 11. a part of which wood land as sold off by the said George W. Crum Sr. in his lifetime and was conveyed by him to the purchasers thereof by deeds, Certified Copies of which deeds are filed herewith marked Exhibits Nos. 12. 13. 14. & 15.

That by the provisions of said will said real Estate of the said George W. Crum Sr. was devised in manner following, to each of the four Children whose names the two ninths thereof, and to his grandson Julian C. Crum the one ninth thereof, and in which will there was the following provision with reference to the interest or share devised to his son George W. Crum "the portion or share of my son George W. I will devise and bequeath to him in trust for his own use during his life and after his death to his heirs according to law, giving him the power to sell and make a good and sufficient deed for his share of the real Estate, if he should wish to do so, the proceeds or property purchased therewith being his in trust as was the original property and although I do not require him to give bond for the faithful performance of his trust, it is my wish and I do hereby direct that he use it judiciously for the wants of himself and family and not for the payment of claims that originated before my death with the exception of the claim of his mother in law Mrs. Ellison on such part of it as may remain unpaid at my death."

6th That by the terms of said will each of his said Children are seized and possessed of a two ninths undivided interest therein and said Grand Child is seized and possessed of a one ninth undivided interest therein, and they are seized and possessed of said real Estate as tenants in Common, subject to the dower right of the said Susan C. Crum

7th That the said George W. Crum after the execution of said will made two Codicils to said will which appears in Exhibits No. 1 but the same was not Executed according to law and are null and void.

8th That there is no power of sale contained in said last will and testament.

9th That said real Estate is not susceptible of division among said devisees and owners thereof without great loss and damage thereto, and it would be to the interest and advantage of all of them, and especially the infant Julian C. Crum, to have the same sold and the proceeds arising therefrom to be divided among said parties according to their respective interests.

10th That at the death of the said George W. Crum Sr. he was indebted unto the Frederick Town Savings Institution in the sum of $800 the payment of which is secured by a Mortgage on the above mentioned farm, which indebtedness is still unpaid.

And the Plaintiff prays for the following relief.

1st That a decree may be passed by your Honorable Court directing said real Estate to be sold by a trustee to be appointed by your Honorable Court, and the proceeds may be divided among the above named devisees according to their respective interest, after the payment of the above mentioned Mortgage indebtedness.

2nd That a summons may be issued directed to the said Susan C. Crum, Alphens D. Thomas and Mary K. Thomas, his wife,