

No. 7845, Equity.

of Nettie G. Keller, respectfully shows:-

1. That the said Nettie G. Keller has a dower estate in the lands hereinafter mentioned under the Will of her deceased husband, Willard G. Keller, which devised and bequeathed to the said Nettie G. Keller a dower estate in all the realty of which he should die seized and possessed, and her right of thirds in all the personal estate of which he should die possessed, as allowed under the laws of Maryland, and disposed of all the rest and residue of his estate to his sister Mary L. Markell, in Trust to pay the income thereof to the said Nettie G. Keller during her life and after her death the Corpus of said residue to the said Mary L. Markell absolutely.

2. That said real estate consists in part of certain lands in the City of Evansville in Vanderburgh County, in the State of Indiana, and among said lands is a parcel having a frontage of Fifty-six feet in Block 1, a lot of land called the "Eastern Enlargement" and running back for depth of 144 feet more or less and another parcel having a frontage of thirty-seven and a half feet in Lot 7, adjoining Lot 6, in "McGary's Enlargement", the former being unimproved and the latter improved with a ten-room house which, according to your Petitioners' information, is out of repair.

3. That the said Mary L. Markell, Trustee, has been offered \$3360.00 for the first of said parcels and \$1950.00 for the second, as above described, said offers contemplating the conveyance of the entire title, and as said property is not a production of income to said Trust Estate, the taxes and expenses exceeding the rents and profits therefrom, it is, in the judgment of your Petitioners, for the interests and benefit of the said Trust estate, and of the said Nettie G. Keller, certain questions for life and dower, as aforesaid, that the said properties be sold at the said prices proposed, which are believed to be adequate, and the proceeds to be invested in some profitable security under the limitations of said will.

4. That the said Mary L. Markell, residuary devisee of said properties, is not willing that they be sold if any part of the proceeds thereof, appointed to your Petitioner on account of the dower of the said Nettie G. Keller, and as the rights of your Petitioner in the premises do not entitle him to more than one third of the net income from said property during the life of the said Nettie G. Keller on account of her dower or an assignment of her dower thereon, and as said property of any net income whatever, and as the proceeds of the sale of said property

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