

NO. 8358. Equity.

A. Shaud v. Margaret A. Lohr the Executrix of his last will and testament which said last will and testament was duly probated in the Orphans Court of Frederick County and letters testamentary were granted unto the said Margaret A. Shaud then Margaret A. Lohr by said Orphans Court on the 28th day of December A. D. 1894. and whereas in said last will and testament the said Joseph W. Lohr bequeathed unto his grand sons William E. Lohr the son of Martha C. Snyder his daughter and Francis E. Lohr the son of his daughter Susan A. Lohr each the sum of Five hundred dollars when they should arrive at the age of twenty one year with a provision in case of their death before they arrived at the age of twenty one year then said amounts to be paid to the legal heirs at law of the said Joseph W. Lohr which said legacies the said Joseph W. Lohr in said last will and testament directed his said Executrix to pay out of his estate and whereas in said last will and testament the said Joseph W. Lohr gave and bequeathed unto the said Margaret A. Shaud then Margaret A. Lohr all the property he possessed at the time of his death of whatever kind real personal and mixed to have hold and keep for her use and benefit during her lifetime and if she think proper to dispose of any part of the same by what benefit may accrue to her or the estate he gave her the right to do so and after her death and the payment of her debts &c he directed that any remaining property be sold &c as will appear by reference to said last will and testament and whereas the legacies to his said grand sons became due and payment of them demanded of said Margaret A. Shaud Executrix as aforesaid and she having no funds of said estate in hand to pay them with was compelled to either borrow money for that purpose or sell some of the real estate bequeathed to her as aforesaid and whereas the said Margaret A. Shaud filed a petition in the Orphans Court of Frederick County setting forth said facts and her desire to sell all of the real property of which the said Joseph W. Lohr died seized and possessed and asked the said Orphans Court to grant her an order authorizing and directing her to execute a mortgage for the sum of Fifteen hundred dollars to James T. Hays and thereby accomplish the purposes set forth in said petition and the said Orphans Court on the 1st day of April A. D. 1902. passed an order authorizing and directing her to execute said mortgage, and whereas