No, 9777, Equity,

at the town of Emmitsburg, in the State of Maryland, (being at the time of her death domiciled in the said State of Maryland,) Leaving a last will and testament, bearing date the sixth day of January, 1905, and a Codicil thereto bearing date the first day of December 1906, under the terms of said last will and testament, said deceased after directing the payment of her funeral expenses of her last sickness, the costs of administration, of her estate and all her just debts, gave devised, and bequeathed, the residue of her estate as follows;-

To William s, Guthrie brother of said deceased, the sum of three hundred dollars, ($300,00,)

To Louis Guthrie, (whose name is sometimes written J, Louis Guthrie) William Guthrie whose name is sometimes written William M. Guthrie.) Charles Guthrie (whose name is sometimes written) Charles M. Guthrie.) and Margaret E, Hutchison(formerly Margaret E, Guthrie) Nephews and Nieces of said deceased, being children of said William S, Guthrie, brother of said deceased, each the sum of two Hundred dollars, ($200,00)

To Ad, C, Guthrie brother of said deceased, the sum of Three Hundred Dollars, ($300,00) and all real estate and interest in real estate, in the County of Lewis And Clark, State of Montana, owned by said deceased, being lots, numbered One (1) two (2) five (5) and six,(6) in Block No, I, of Capital Hill Addition, and part of Block Number 12. (12) of Boyce Addition to the City of Helena,

To Eugene Guthrie, son of said Ad,C. Guthrie, brother of said deceased, as aforesaid, all shares of the Capital Stock of of National Biscuit Company, owned by said deceased, that said deceased had disposed of said shares of Capital Stock in said National Biscuit Company

To Barbara Jane Beam, sister of said deceased, the sum of Three Thousand Dollars, ($3000,00)

To Harry Beam (whose name is sometimes written Harry C. Beam) Nephew of said deceased, being a son of said Barbara Jane Beam, the sum of three hundred dollars, ($300,00)

To Louisa Beam daughter of said Harry Beam, the sum of two Hundred Dollars, ($200,00)

To Susan C. Guthrie sister of said deceased, the sum of Five thousand thousand Dollars, ($5000.00). and also the real estate hereinafter described, and situate in Emmitsburg, County of Frederick.state of Maryland,

To said Barbara Jane Beam and Susan C, Guthrie, sisters of said deceased, as aforesaid, the rest and residue and remainder of said estate, to be divided between them equally, Share and share alike,

That said barbara Jane Beam, sister of said deceased as aforesaid, died prior to the death of said Louisa Mary Guthrie, deceased, and subsequent to the execution of this said Will of said mary Louisa Mary Guthrie, deceased, that said George P, Beam is the surviving husband, and that said Harry Beam is the son of Barabara Jane Beam, deceased, that said Barbara Jane Beam left her surviving no child or descendant of any other child, then said Harry Beam.

That said William S, Guthrie Brother of said deceased, as aforesaid, died prior to the death of said Mary Louisa Mary Guthrie, deceased, and subsequent to the execution of said will of said Mary Louisa Guthrie. deceased, that said louis Guthrie, William Guthrie, Charles Guthrie, and Margaret E, Hutcison, are the surviving children, of said William S, Guthrie, deceased, that said William S, Guthrie, deceased, left him no wife surviving, that said William S, Guthrie, left him no other child or descendant of any child, that said Louis Guthrie William Guthrie, Charles Guthrie, and Margaret e, Hutchison,

That at the time of the execution of said will of said Mary Louisa Guthrie,deceased for many years prior thereto, and at all times thereafter, down to the 31st day of March 1910, the laws of the State of maryland contained the following provisions being Section 326, of article, 93 of the Annotated codes of Maryland.

" No devise. legacy or bequest shall lapse or fail of taking effect by reason of the death of any devisee or legatee, (actually and specially named as devisee, or legatee, or who is or Shall be mentioned, described or in any manner referred to, or designated, or indentified as devisee, or legatee in any will, testament or Codicil) in the lifetime of the testator, except as hereinafter provided, but every such devise, legacy or bequest shall have the same effect and operation in law, to transfer the right, estate and interest in the property, mentioned in such devise, or bequest as if such devisee or legatee had survived the testaten,"

That by an act of the Legislature of Maryland, duly approved on said 31st, day of March 1910, said Section 326, of said Chapter 93, of said Annotated Codes of the State Of Maryland