are accepted and approved, or verified, and not barred have been discharged or settled, or allowed, to be retained, as herein directed, the administrator shall proceed, to make distribution of the surplus as follows;- (Section 121 of said Article 93 provides) if there be a surviving husband or widow, as the case may be and a child or children or a descendant from a Child, the surviving husband or widow, as the case may be, shall have one-third, only.

Section;- 123 of said Article provides, "The Surplus, exclusive of the share of the surviving husband, or widow, as the case may be, or the whole surplus (if there be no surviving husband) or widow, shall go as Follows (Section 124 of said Article provides if there be no Children or other descendants the surplus shall be equally divided amongst them. "

Article 1. of the Public Civil Laws of said State of Maryland, Section 7 provides "The Singular always includes the plural and vice versa, except where such construction would be unreasonable,"2

That all the laws hereinbefore and above quoted and referred to are, and at all times hereinbefore mentioned have been except as herein specifically set forth, in full force and effect in the said State of Maryland. and are the only laws of the said State, of Maryland affecting the distribution of said legacies to said Barbara Jane Beam and William S, Guthrie, under the circumstances herein set forth,

That said Harry Beam has duly executed and delivered assignments as to his interest, in the residue of said estate, as follows;- To J. Stewart Annan and J, Stewart Annan, Assignee, in sum of $727,59, to James B. Elder in the sum of $100.00 and to Charles P, Mort, in the sum of $100,00. as will more fully appear reference being had to such assignment a Copy of which assignment is attached to this petition. for distribution on file herein and hereby referred to an and made part of this decree.

And all and singular the law and the premises being by the Court seen, heard, understood and fully considered, thereon.

It is herby ordered, adjudged and decreed, that said final account of said executer be and the same is hereby allowed, approved and settled, except that the said items, of vouchers, numbered 14 and 20, including special improvement assessments aggregating the sum of $449,90. shall be charged against the legacy and devise to the said Ad.C. Guthrie, and not against the residue of said estate, and otherwise said objections hereinbefore mentioned are hereby overruled, and all the acts of said Executor, as appearing upon the records hereof, bbe and the same is hereby distrubted as follows, to wit;-

To Louis Guthrie, William Guthrie, Charles Guthrie and Margaret E, Hutchison, each the the sum of $300,00. and the following described real estate situate. lying and being in Capital Hill addition, to the City of Helena, County of Lewis and Clark, State of Montana:, Particularly described as Follows, to wit;- Lots numbered one (1) Two (2) Five (5) and Six(6) in Block No. One (1) also part of Block number Twelve (12) of Boyce Addition to said City, of Helena, is hereby Charged, with the said Special improvement assessments in the sum of $449,90 and the said Executoris hereby directed to apply said $300,00bequest as Aforesaid, to the payment of the said special improvements assessments, and the said real estate is herby charged with the sum remaining after applying thesaid $300,00 and in case the said Ad C.Guthrie does not pay the difference, to wit;- the sum of $149,90 less $71,30, refunded by the City Treasurer, the said Executor is hereby authorized to sell said real estate topay the balance of said Difference, $78,60. so far as the proceeds of such sale will pay thesame, and if any balance remains, After paying such special improvement assessments, such balance be paid to thesaid Ad,C, Guthrie,

To Eugene Guthrie the sum of $300,00

To Louisa Beam, the sum of $300,00

To Susan C. Guthrie the sum of $ 6356,62, and the following described real real estate, situate lying and being in Emmitsburg, in the County of Frederick, State of Maryland, known as the "Old Homestead" in which the said Susan C, Guthrie now lives,

To George P, Beam, the sum of $1645,54

To Harry Beam, the sum of $2263,40

To J, Stewart Annan, and J.Stewart Annan, Assignee, the sum of $727,59,

To Charles E Mort. the sum of $100,00. and James B. Elder, thesum of $100,00 The Following is a particular description, of the said residue, of said estate referred to in this decree, and of which distribution is ordered, adjudged, and decreed, as aforesaid, to wit;- the Sum $12.248,70, cash and all those certain lots. pieces or parcels of land situate, lying and