the sum of $100, to Henry McAfee the sum of $50, to Wesley McAfee the sum of $50, to Jefferson McAfee the sum of $50, to Upton Lewis the sum of $50, to Ola Smith, wife of Grover Smith the sum of $50.

"And also the said Alfred Smith shall have two years time (after he gets possession of said farm and timber land) in which to pay all sums of money (as directed) without interest."

and that by reason of the wording of said devise the said Alfred Lewis, having made said payments, took a fee simple estate in said land of which he died seized and possessed, intestate.

The plaintiff, John Lewis, by his answer admits Mrs. Miller's alleged interest in that part of the real estate and consents to her being made a party plaintiff. The defendant Albert Lewis denies her alleged interest, claiming that be the terms of the Bernard Lewis will, Alfred Lewis now deceased, took but a life estate in said land and that by the terms of said will the title to the same now vests in John and Albert Lewis as the sole owners and that Mrs. Miller having no interest in said land should not be permitted by the Court to come in as a party plaintiff.

In determining whether or not Mrs. Miller should be made a party to the suit, it is first necessary to determine what interest Alfred Lewis took in said land or real estate under the devise.

In the first place the Court is clearly of the opinion that the payment of the sums of money by Alfred Lewis as directed by said will is not a charge on the real estate and that said payments are merely personal obligations on the part of Alfred Lewis; there being nothing in the will to indicate that the testator intended to make them a charge on said real estate.

It is well settled that the intention to charge must be expressly declared or fairly inferred from the will itself by such apt expressions in the will as to establish the intention to the satisfaction of the Court.

Owens vs. Claytor, 56 Md. 128,
Buchannan vs. Lloyd, 88 Md. 642.

Granting the aforegoin proposition to be correct, it is equally as well settled in Maryland that where the duty is imposed upon a devisee personally to pay a sum or sums of money, whether much or little, it enlarges a life estate into a fee.

Glenn vs. Spray, 5 Md. 118,
Snyder vs. Nesbit, 77 Md. 576,
Boyd vs. Sachs, 78 Md. 491,
Wolf vs. Wolf, No. 8101, Equity, this Court,
Wolf vs. Wolf, No. 9948 Equity, this Court,
Holtz vs. Angleberger, No. 10,219 Equity, this Court.

It follows therefore that Alfred Lewis having taken a fee simple estate in the real estate described in the last Will of Bernard Lewis, and that upon the death of Alfred Lewis, intestate it having descended to and vested in his heirs at law, that Hattie Miller the petitioner being an adult daughter of Alfred Lewis, she should be made a party to this cause.

It is thereupon this 28th day of September, 1931, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ordered, that the petitioner Hattie Miller be and she is hereby made a party plaintiff to this Equity cause.

Hammond Urner
Arthur D.Willard

(Filed September 29, 1931)

DECREE

John Lewis	"	No. 12194 Equity
vs.	"	In the Circuit Court for Frederick County,
Albert Lewis	"	Sitting as a Court of Equity
	"	_____ Term, 19

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits,