

That upon the death of the widow, this one-seventh will descend to the heirs at law of the daughter, without being liable to the curtesy of her husband, she not having been seized in fact, and in deed, of this estate, during the coverture.

[The testator, Henry Keerl, by his will, which was proved in July, 1827, devised and bequeathed to his friend, Charles Bohn, (who renounced the trust,) and his son, George H. Keerl, portions of his real and personal estate, to be held by them in trust for his daughter, Amelia H. Keerl, during her life, free from the control of any future husband, and after her death, in trust for any child or children she might have; with the further direction and declaration, "that the trustees or the survivor of them, should, after the death of his said daughter, convey and assign unto her children, if she should have or leave any at the time of her death, in equal proportions, absolutely, all the money and estate in his will devised and bequeathed unto the said trustees for the use and benefit of his daughter and her children; provided, always, that no such conveyance or assignment should be made until the child or children, to whom the same was to be made, shall have severally attained the age of twenty-one years."

The will further directed, that in case the said daughter should die without leaving issue or descendants of such issue, one moiety of the estate given to her for life should pass to her husband, if any such should survive her, and the remaining moiety to the other children of the testator and their representatives.

The will also contains the following provision with regard to the estate given to the wife of the testator, who survived him, and is still living: "After the death of my said wife, I give, devise and bequeath all the rest, residue and remainder of my estate, real, personal and mixed, unto my said children (naming his six sons) and to the said Charles Bohn and George H. Keerl, as trustees, for my said daughter, Amelia H., as aforesaid, to be divided into equal proportions for my said seven children, and to their heirs, executors and assigns forever."