the light of the fact that Annie did not have any other children, then no significance can be attached to these words whatever. Yet it is upon them that the Master's report refuses the relief sought by the bill.

I also call attention to the several words in the several clauses of the deed quoted herein, which show that Annie intended to give the property to Alfred in fee, if no other children were born to divide the inheritance with him, in which latter case she intended that they should take in fee, their shares, going to their issue if any living at their death, and when they failed, to her own children. These words are in (1) "heirs"; in (2) the word "issue", unqualified by the words, "living at the time of the death", have the same force; in (3) the part of the child dying shall go to the survivor or survivors "absolutely." The word descendants in (4) looks in the same direction.

The case of Inches vs. Hill, seems to me conclusive of the question here. It is a parallel case. (See 106 Mass., 575. Also see Teal vs. Cosden, 34 Md. 421. Also Branson vs. Hill's admr., 31 Md., 181.)

Clauses (3) and (4) provide respectively for the contingency of part of the children, which Annie E. might have, dying, and the latter for all of them dying under age and without issue. The whole clause when properly rendered and freed from contingencies is a conveyance to Alfred C. Thompson and his heirs, defeasible on his dying under lawful age and without issue living at the time of death. He having survived the age of twenty-one the estate is now indefeasible.

Respectfully submitted
Thos. S. Hodson

Crisfield, Dec. 15, 1887.

Decree.

(Filed 23rd January, 1888.)

Thompson, et al., vs. Ballard et al.	In the Circuit Court of Baltimore City.

In the above entitled cause the exception heretofore filed by the complainants to the report of Daniel M. Thomas, Auditor and Master, having been duly considered, the said exception is hereby overruled; and the said report is hereby, for the reasons therein stated, sustained.

Therefore it is, this 23d day of January, A. D. 1888, by the Court, ordered, adjudged and decreed, that the bill of complaint in this cause be and the same is hereby dismissed with costs.

J. Upshur Dennis.

Plaintiffs' Order for Appeal.

(Filed 23d January, 1888.)

Thompson et al., vs. Ballard et al.	In the Circuit Court of Baltimore City.

In the above entitled cause the Clerk will please enter an appeal from the decree dismissing the bill.

Thos. S. Hodson.
Pltffs' Solicitor.