

NO. 9081 EQUITY.

Americus A. Wenner, Susan M. Wenner, and
Virginia R. Wenner, William Waltman Wen-
ner, Susan Winifred Wenner, William Waltman
Wenner, 111; George W. J. Wenner, Heten E.
Wenner.

No. 9081 Equity.

In the Circuit Court for Fred-

erick County in Equity.

Vs.

Americus A. Wenner and Susan W. Wenner,
Trustees, and The Brunswick and Fred-
erick Railroad Company, a body corporate.

The Bill of Complaint of Americus A. Wenner, Susan W. Wenner and Virginia R. Wenner, William
Waltman Wenner, Susan Winifred Wenner, William Waltman Wenner 111., George W. J. Wenner, Heten
E. Wenner respectfully shows unto Your Honors--

1st. That Susan A. Wenner late of Loudon County, Virfibia, departed this life on or about the
month of June 1901 leaving a last will and testament, which was prebated in the County Court for
Loudon County, State of Virginia, on the 10th day of June, 1901, and a certified copy of which
said last will was admitted to record in accordance with the Code of Public General Laws of the
State of Maryland, and recorded on the 19th day of June, 1901, in liber C. E. S. No. 1 folio
176, one of the will records in the office of the Register of Wills in and for Frederick County,
State of Maryland.

2nd. By the provisions of said last will and testament, the said Susan A. Wenner did give, de-
vise and bequeath to her husband, William W. Wenner, Sr., who is now dead, for and during his
life all of her estate of every kind and description.

That by the next clause of her will the said Susan A. Wenner did give and devise, after the death
of her said husband, to her son, Americus A. Wenner and her daughter, Susan W. Wenner, and to the
survivor of them, in trust, "All that portion of my farm situate in Petersville Election District
Frederick County, State of Maryland, near or adjacent to the town of Brunswick, containing in or
about one hundred and fifty acres of land and fully described by courses and distances in a sur-
vey made December 9th 1893, by Preston E. Miller, which is hereby made part of this, my will, for
a full description of the same, excepting from said devise about fifty acres thereof situate and
lying along the Baltimore and Ohio Railroad, which I desire my executors to lay off in town lots
to be disposed of as hereinafter mentioned. And upon the trusts that said trustees permit my son
William Waltman Wenner, to use, enjoy and possess the said farm, and receive the rents, issues,
and profits, for and during his life, and in the event of his disability from any cause to farm
said farm, that they, the said trustees, or the survivor of them, shall take possession of said
farm and rent the same, and pay the said rents, issues and profits therefor to the said William
Waltman Wenner into his own hands and free from the claims and demands of his creditors, for and
during his life, or in their discretion, apply the rents, issues and profits thereto to the sup-
port and maintenance of the said William Waltman Wenner and his family during the life of the
said William Waltman Wenner and after the death of the said William Waltman Wenner, I give and
devise said farm to his children.

All the rest and residue of my estate, after the death of my said husband, William W. Wenner, I
give, devise and bequeath to my son Americus A. Wenner and my daughters, Susan W. Wenner and Vir-
ginia R. Wenner to be equally divided between them share and share alike.

And lastly I do hereby constitute and appoint my son Americus A. Wenner, executor and my daughter
Susan W. Wenner executrix, of this my last will both of such property as I may leave in the State
of Virginia and also in the State of Maryland", &c. As will fully appear by reference to a cer-