

EXHIBIT C.

This cause coming on to be heard and being submitted to the Court, on the Bill, answer, exhibits testimony and the other proceedings, in this cause, it is thereupon this 20th day of December in the year nineteen hundred and six, by the Circuit Court, for Frederick County, sitting as a Court of Equity, and by the authority thereof, adjudged ordered and decreed that by the true construction of the last will and testament of Susan A. Wenner, deceased, her husband William W. Wenner, Sr., was devised and bequeathed an estate for and during the term of his natural life, in and to all of the property real and personal of the said Susan A. Wenner; that Americus W. Wenner and Susan W. Wenner as trustees, for the use and benefit of testatrix's son William Waltman Wenner with remainder over as provided in the will, took a vested estate in remainder in the farm situated in Petersville Election District, this county, adjacent to the town of Brunswick, excepting about fifty acres thereof lying along said Baltimore and Ohio Rail Road, is a valid exception out and from the residue of the farm devised to said trustees; that said land (about fifty acres) so excepted passed under the residuary clause of this will to testatrix's son Americus A. Wenner and testatrix's daughter Susan W. Wenner and Virginia W. Wenner, as tenants in common, in equal portions subject to the life estate of their father William W. Wenner Sr., that said residuary devisees under the provisions of said will are entitled in remainder after the life estate of their father to the whole front of said Farm along the Baltimore and Ohio Railroad, together with the land extending back a sufficient distance, the whole length the whole length of the front to constitute an acre of fifty acres, that is to all the land included within the lines shaded yellow on the plat of Rufus A. Rager, surveyor, filed with the Examiner as Exhibit R. A. R. excepting out and from said area of fifty acres, two acres one rood and eighteen perches thereof marked W. W. Wenner on said plat Exhibit R. A. R. which said two acres one rood and eighteen perches, constituting the land occupied by the dwelling house on said farm, and its outillage, it is adjudged ordered and decreed passed to said trustees Americus A. Wenner and Susan W. Wenner along with the residue of the farm, upon the trusts set forth in said will, subject to the life estate William W. Wenner, Sr., thus leaving said residuary devisees forty seven acres, two roods and twenty-two perches of said farm; that the executors named in said will had no active duties to perform prior to the vesting of the title to said land residuary legatees; that the title to the same vested in them immediately upon the death of said testatrix, subject only to the life estate of their father, and that any deed validly executed by their father and themselves passed the legal title to any portion thereof described in such deed. And it is further adjudged, ordered and decreed that the costs in this case together with a reasonable counsel fee, be paid, one half to by Americus A. Wenner, Susan W. Wenner and Virginia R. Wenner, the residuary devisees, and the other one-half by Americus A. Wenner and Susan W. Wenner trustees.

John C. Metter

Filed and recorded Jan. 21 19107.

True copy. Test--

Harry W. Bowers, Clerk

PETITION AND COURT'S ORDER.

The answer of Americus A. Wenner and Susan W. Wenner Trustees and the Brunswick & Frederick Railroad Company, a body corporate, respondents in the above entitled cause, having been filed and the cause being at issue, the Plaintiffs pray your Honors to pass an order referring said cause to one of the standing examiners of this Court for the purpose of taking testimony to support the allegations of the Bill of Complaint.

And as in duty bound etc.

Emery L. Coblentz

Chas. McC. Mathias

Solicitors for Plaintiffs