

The aforesaid petition having been read and considered, it is thereupon, this 3rd day of November in the year nineteen hundred and thirteen by the Circuit Court for Frederick County, sitting as a Court of equity and by the authority thereof, ordered that the aforesaid cause be and the same is hereby referred to one of the Standing Examiners of this Court for the purpose of taking testimony in support of the allegations of the Bill of Complaint.

Glenn H. Werthington.

ANSWER TO BILL OF COMPLAINT.

To the Honorable the Judges of said Court--

The answer of Americus A. Wenner and Susan W. Wenner, trustees, to the Bill of Complaint filed in this case, respectfully shews unto your honors--

That they admit the allegations contained in the Bill of Complaint and consent to the passage of the decree as prayed.

Americus A. Wenner

Susan M. Wenner

trustees.

Answer of the Brunswick and Frederick railroad Company.

The Brunswick and Frederick Railroad Company, a body corporate, one of the defendants in the above entitled cause, for answer says--

That it admits the allegations contained in the Bill of Complaint to be true as there is set forth and that it is willing to pay the sum of \$500.00 for the right of way across the property of the Parties herein mentioned as laid out on exhibit B and that it believes the said sum of \$500.00 is an equitable and fair compensation for said right of way.

Oscar B. Coblentz

Solicitor for respondent.

GENERAL REPLICATION.

The Plaintiffs join issue upon the answers of the respondents filed in the above entitled cause so far as the same may be taken to deny or avoid the allegations of the Bill of Complaint.

Emory L. Coblentz.

Chas. McC. Mathias,

Solicitor for Complainants.

TESTIMONY.

To the Honorable, the Judges of said Court--

In pursuance of an order of the Orphans Court and notice given me by the Solicitors for the Plaintiffs, I Albert S. Brown, one of the standing examiners of Your Honorable Court, duly appointed, qualified and sworn did on the 14th day of November, A. D. 1913, at the law office of Emory L. Coblentz, Esq., in the City of Frederick State of Maryland, at the hour of 3 o'clock P. M. proceed to take the following deposition of the witnesses in this cause then and there produced before me.

Present. Mr. Chas. McC. Mathias of Solicitors for the Plaintiffs. No appearance for the defendant.