

their decendants should survive him. As superadded words, as already stated, would, if given effect, create an estate to vest at so remote a period after the death of the testatrix as be obnoxious to the rule against perpetuities, they are declared void, and I am of opinion that the complainant, James J. Arnold, takes an estate in fee simple, absolute and indefeasible, in the house and lot in question, which is described in a deed from Barbara Welty to Susanna Arnold, dated April 3, 1854, and recorded in Liber H.W.B. No. 314, at folio 116, one of the land Records of Frederick County. I will pass a decree in accordance with the views herein expressed.

It is thereupon, this 23rd day of October, in the year Nineteen Hundred and Fifteen, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by authority thereof, adjudged ordered and decreed that the superadded words in the last will and testament of Susan Arnold, deceased, a copy of which is filed in this cause as Exhibit A, which purport to pass the title to said house and lot to the children of complainant, after his death, tend to create a perpetuity, and for that reason are hereby void and of none effect; and it is further adjudged, ordered and decreed by the authority aforesaid, that, by the true construction of said last will and testament, the complainant, James J. Arnold, upon the death of his father, James Arnold, took title in fee simple absolute, in and to the house and lot mentioned in and devised by said last will and testament, and described in a deed from Barbara Welty to Susan Arnold, dated April 3, 1854, and recorded in Liber H.W.B. No. 314, folio 166, one of the land Records of Frederick County. And it is further adjudged and ordered that the complainant pay the cost of this proceedings.

Glenn H. Worthington

Filed October 23rd 1915.

No. 4025. Equity.

Release

KNOW ALL MEN BY THESE PRESENTS that I, E.J. L'Engle, administrator of the estate of S.C.L'Engle, deceased, in the orphans Court of Frederick County, Maryland, do hereby acknowledge that I have received from Richard P. Ross, trustee in No. 4025 Equity in the Circuit Court for Frederick County, in Equity, the sum of Nine thousand, six hundred, forty-two dollars and ninety-nine cents (9,642.99); being in full of the balance due me as administrator aforesaid in the settlement of the estate of George Murdock, deceased, which said amount was audited, in No. 4025 Equity in the Circuit Court for Frederick County, Maryland, in Equity, to the estate of S.C.L'Engle, and I hereby release, exonerate, acquit and forever discharge the said Richard P. Ross trustee, his heirs, executors or administrators from all claim or demand whatsoever on account of said payment of \$9,642.99 either in law or in equity.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix my seal this 30 day of June in the year nineteen hundred and eleven.

Witness:

Bertha Y. Farnham.

E.J.L. Engle (SEAL)
as admr aforesaid.

State of Florida, County of Duvall, to-wit;

I hereby certify that on this 30th day of June (1911) in the year nineteen hundred and eleven, before me the subscriber, a Notary Public, duly commissioned and qualified, in and for the County and State aforesaid, personally appeared E.J.L'Engle, administrator of the estate of S.C.L'Engle in the Orphans Court for Frederick County, Maryland, and acknowledge the foregoing release to be his act.

In testimony whereof I hereunto subscribe my name and affix my Notarial Seal, the day and year first above written.

Bertha Y. Farnham.

Notary Public State of Florida.

My Commission expires October 12th 1912.