

No. 10038 Equity,

Costs of the Aforegoing Testimony.

C. O. Keedy Examiner.	2 days	\$8.00
Sheriff Clipp, Summoning Witnesses		1.20,
Frances E. Sweadner, Wit; Mlge. Attend--		2.15
Dr. Thos. R. Myers, Wit, Mlge. & Attend--		2.15
Wallace R. Beall, " " " "		2.15,

Certified to
 Clayton O. Keedy,
 Examiner,

Exhibit A, To Testimony.

Wallace R. Beall et al, Executors,	(No. 9934 Equity,
)	in the Circuit Court for Frederick
Vs,	(County,
Augusta A. Beall, Widow, et al.,)	

Since the Bill of Complaint in this case was filed, the widow of the testator whose will is sought to be construed, has formally renounced the will and has elected to take the interests in her deceased husband's real and personal estate, to which in such an event are given her by statute, as the renunciation by the widow, has the same effect, as her death, upon the Devises, and Bequests, in the will, for her benefit during ^{her} life, Randall vs. Randall 85 Md, 430, it becomes unnecessary to decide, the question raised by the Bill as to the Constructions of those provisions, There could have been no doubt however, that if we were required to answer the questions, in the Bill as to the interests for life, under the Terms of the Will we should have had to hold that the widows life estate, was limited to her home property, furniture and live stock, of the Testator, and \$350.00 annually from his estate, and that the duty imposed on the executors, to see after and keep the properties in good repair, " would have continued, during the Widows life time, It is clear that also in consequence of the Widows renunciation, and her omission to elect to take dower, in the lands of her deceased husband under the provisions of Section 3-and 4-of Art 46, of the Code as enacted by Chapter 325, of the acts of 1916, she is entitled, as heir to one Third, of the real estate absolutely, and also to one-third of the personal estate, for distribution, as provided by sec, 302, of art-93. of the code, these views were announced, orally soon after the case was submitted for our decision, the other questions raised by the Bill of Complaint, as to the construction of the will, having been rendered immaterial by the renunciation thereof, by the testators widow, since the Bill was filed, and it is further adjudged, ordered and decreed, that in consequence of such renunciation, and the Omission of the widow to elect to take dower in her deceased husband's estate, she is now invested as heir, with an undivided Title, to one third of his real property, and is entitled to one third of his personal estate remaining for distribution; and it is further ordered and decreed that the costs of these proceedings, be paid out of the funds in the hands of the Executors,

filed Sept-1919,

Hammond Urner,
 Glenn Worthington.

test;

Eli G. Haugh, Clerk

of the Circuit Court for Frederick County, Md.

Decree,

Violet Irene Beall, et al., (No. 10038-Equity, In the circuit Court for
Augusta A. Beall,)	Frederick County, Sitting as a Court of Equity
Widow, 9	November term, 1919,

The above Cause Standing ready for a hearing and being Submitted, the Bill Answer, Exhibits, Testimony and all other proceedings were by the Court read