

BILL OF COMPLAINT

Cecile Smith Clark and Barrett H. Clark, her husband, Constance V. O'Toole and Eric Ericson O'Toole, her husband, and Margaret L. Reesor, unmarried	"	No. <u>17450</u> Equity.
	"	
Vs.	"	In the Circuit Court
	"	
Robert M. McIntyre and Nellie McIntyre, his wife	"	for Frederick County.
	"	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Cecile Smith Clark and Barrett H. Clark, her husband, Constance V. O'Toole and Eric Ericson O'Toole, her husband, and Margaret L. Reesor, unmarried, respectfully represents unto your Honorable Court:

FIRST: That a certain Robert V. Smith, late of Frederick County, Maryland, who died July 19, 1938, leaving a last Will and Testament which was duly probated, and recorded in Liber No. J.H.1, folio 374, one of the Will Records in the office of the Register of Wills for Frederick County, certified copy of which is filed herewith marked Exhibit "R. V. S." which, together with all other Exhibits herewith produced it is prayed may be taken and considered as a part hereof.

SECOND: That the said Robert V. Smith provided in his said last Will and Testament, among other things, as follows:

"All the rest and residue of my property and estate I give, devise and bequeath to my sister, Rachel M. Smith and William M. Storm, in trust nevertheless, to invest and reinvest the same and pay the net income therefrom to my sister, Rachel M. Smith, for and during her natural life, and upon the death of my said sister, I direct that said Trust cease and I hereby give, devise and bequeath said corpus unto my nephew, Robert M. McIntyre, and my nieces, Cecil Smith Clarke, Constance Reesor and Margaret Reesor, equally, share and share alike."

THIRD: That the said Rachel M. Smith, life tenant, died on August 5, 1952, thereby terminating the trust provided in said Will, and leaving the real estate as hereinafter mentioned, to the said Cecile Smith Clarke, Constance Reesor, now Constance V. O'Toole, Margaret L. Reesor and Robert M. McIntyre, as tenants in common.

FOURTH: That your Complainant, Cecile Smith Clark, whose husband's Name is Barret H. Clark, resides at Briarcliff Manor, New York; that your complainant, Constance V. O'Toole, whose husband's name is Eric Ericson