No. 9768 Equity.

BILL OF COMPLAINT

In the Circuit Court for frederick County, STate of Maryland.

Sitting as a Court of Equity.

Charles Dicks Eichelberger, and Edwin F. Ohler in No. 9570 Equity Plaintiffs.	0	
Vs.	0	No. 9768 Equity.
Womans Home and Foreign Missionary Society of The Evangelical Lutheran Church of the United States. Defendant.	0	

Bill of Complaint

To the Honorable, the Judges of said Court;

your orators Complaining say;-

i- that the last will and Testament of Mary e. Ehrehart, lateof Frederick County, State of Maryland, bearing date of the 27th day of March 1913, was duly admitted to probate by the Orphans Court for Frederick County, aforesaid, on the 19th day of January, 1914, and is recorded in Liber S,D,T,No.1, folio 352, et seq., One of the Books for recording of wills in the office of the Register of Wills for Frederick County, aforesaid, that by the terms of said will, the rest and residue and remainder of the estate of mary E. Ehrehart. was devised and bequeathed unto Charles Dicks Eichelberger, during the life of his mother or until he attains the age of thirty-five years, upon the death of his mother orwhen he attains the age of thirty-five years, which ever shall occur first, the said rest, residue and remainder of said estate, is devised and bequeathed unto Charles Dicks Eichelberger, aforesaid, absolutely, If however the said Charles Dicks Eichelberger, shall die during the life time of his mother, before reaching the age of Thirty five years, and leaves a child or children living at the time of his death, then the said rest, residue and remainder of said estate, shall go absolutely to such child or Children notwithstanding any thing to the contrary contained in the aforesaid last will and testament, of Mary E. Ehrehart, deceased, If however the said Charles Dicks Eichelberger. shall die before ariving at the age of thirty five years without child or children living at the time of his death, then said rest, remainder and residue shall go absolutely tothe Womand Home and foreign missionary society of the Evangelical Lutheran Church, of the United States, all of which will more fully appear by refernce to a certified copy of said last will and testament filed herein praying to be made a part hereof, and Marked " Plaintiffs " Exhibit A."

II. That your Honorable Court assumed jurisdiction of the Trust created by the seventh paragraph, of said last will and Testament. by it decree dated February 17th, 1917 in A Cause pending herein Entitled Charles Dicks Eichelberger on Petition. designated on the Equity Docket as No. 9570, Equity as will appear. more fully by reference to a certified copy of said decree filed herewith prayed to be made a part hereof, and marked "Plaintiffs Exhibit B.

III That your Orator Edwin F. Ohler. Charles Dicks Eichelberger is the person designated in the said last will and Testament of the said Mary E. Ehrehart, deceased, as the Beneficiary of the trust therein appointed or created, and so recognized by the said decree of this Court dated February 17th, 1917,

IV. That your Orator Edwin F. Ohler is the Trustee appointed by your Honorable Court, in said Court, and is now the qualified and acting trustee in said cause pending herein, designated as No. 9570, Equity,

V. That by the terms of the said Last will and Testament if your Orator Charles Dicks Eichelberger dies during life time of his mother before reaching the age of of Thirty five years, without child or children living at the time of his death, then the rest, residue and remainder, of the said Estate of the said Mary E. Ehrehart passes absolutely to the Womans' Home and Foreign Missionary Society of the Evangelical Lutheran Church of the United State, That the mother of Your Orator Charles Dicks Eichelberger is living and your said Orator is now about the age of twenty three years unmarried, and without Child or Children living.