

No. 10065 Equity,

BILL OF COMPLAINT

Luther Tressler, and Catherine I, Tuttle, Trustees.	#	No, 10065, Equity,
	#	In the Circuit Court for Frederick County,
	#	Sitting as A Court Of Equity,
Vs.	#	
Howard G. Lantz, William C, Tressler and Daniel P, Tressler, Defendants,	#	
	#	

To the Honorable, The judges of said Court,;-

The Bill of Complaint, of Luther Tressler, and Catherine I Tuttle, Trustees, the plaintiffs in this Case, respectfully shows,

1. that Howard G, Lantz, one of the above named Defendants, by his deed dated December 3rd A.D, 1917, did convey his interest in two parcels of land, situated in Frederick County, Maryland containing in the aggregate, 53 acres 1 rood and 33 perches of land, more or less, to the said Luther Tressler, and Catherine I, Tuttle, upon the following terms and conditions, "in trust as hereinafter limited, and Specified, and subject to the reservations, to myself hereinafter set forth, all my right, title interest and Estate, of every kind and description, that I now have, or that may hereafter become invested, in me, in and to the lands and Premises hereinafter mentioned, and described to hold and to manage, said Property, in the event that I shall survive, my mother, for my use and benefit, and to pay over to me, the net income, therefrom, for and during My Natural Life, subject, however, to the right hereby reserved in me, the said Howard G Lantz, to use and occupy the said property for any time or any time or times during my life, that I may desire to do, in the event of such use and Occupancy, by me to receive and obtain for Myself, directly, from the said property, the net proceeds and income therefrom, the said trust hereby Created to continue for and during my natural life, only, and to terminate upon my death and I thereupon do further grant and convey all the said real estate, to my two uncles William C, Tressler and Daniel P. Tressler, or their heirs at law, under the laws of Maryland, per Stirpes, absolutely and in fee simple."

the Land Conveyed as aforesaid is described in said deed as the same devised by Joseph B. Lantz, late of said County by his will probated January 9th. A.D, 1906, to his wife Mary S, Lantz, for life, and upon her death to his son, the said Howard G, Lantz, upon the Contingency that he be living at that time, a certified Copy of the said Deed being filed herewith. marked Exhibit No. 1, and which together with all other exhibits filed herewith, marked is prayed to be taken as and considered as Part of this bill of complaint. the said Mary S, Lantz was living at the time of the Execution and delivery of the said Deed and the interest of her son, the said Howard G, Lantz, in the said real estate at that time, therefore, and estate, in remainder contingent upon his being living at the time of her death,

2,- that the said Mary S, Lantz, died in or about the month of May A.D, 1919, leaving surviving her the said Howard G. Lantz, and after having Executed her last will and testament, dated Nov. 9 1917, by which she devised and bequeathed all of her property and estate, after the payment of her just debts, and Funeral Expenses as Follows;-

"to my nephew. Luther Tressler and my Niece Catherine I Tuttle, in trust, for the use and benefit of my son, Howard G, Lantz, to hold and manage the said Property, and estate and to pay over to him the said Howard G. Lantz, the net income therefrom, for and during her natural life, and upon his death. I will and direct that the said trust shall terminate and do hereby give and devise, bequeath, all of my said property, and estate to my two brothers, William C, Tressler and Daniel P. Tressler, absolutely, share and share alike, if either of my said Brothers shall have died before the death of my said son then I further will and direct that the share of My estate, which the said Brother would have taken had he been living and shall go to his heirs, at law, and next of kind, in accordance with the Laws of The state of Maryland,

The said will was duly admitted to probate by the orphans Court, of Frederick County, on May 13th, A.D, 1919, and a certified copy thereof is filed herewith as part hereof, Marked Exhibit No. 2, the property and estate devised and bequeathed as aforesaid, includes two parcels, of land, containing in the aggregate 39 acres, 1 rood, and 24 perches, of land, more or less, conveyed to the Said Mary S, Lantz, by Charles W, Lantz, and wife by deed, dated July 20th, A.D, 1917 and one parcel of land containing 14 acres, and 100 perches, of land more or less. Conveyed to the said Mary S, Lantz, by Charles H, Brown, and wife, by deed dated January 14th, A.D, 1911, Certified Copies of the said deeds, being filed herewith, as part hereof, marked in the order Mentioned, above, Exhibit No. 3, - Exhibit No. 4. and all of the said Lands, and premises mentioned in this Bill Of Complaint, is situated in Frederick County, in the State of Maryland

3. That the total amount or quantity of land, conveyed and devised, to the said, Plaintiff Luther Tressler and Catherine I, Tuttle, in trust as aforesaid, is 107 acres, 1 rood and 37, perches of land, more or less, and they accepted said trusts, and assumed the ownership and Management, of said property in accordance with the terms thereof, a Portion of the said land,