

BILL OF COMPLAINT

Theresa K. Ross and Charles W. Ross, III	"	No. 11673 EQUITY.
	"	In the Circuit Court
Vs.	"	for Frederick County,
Rochard P. Ross, Blanche S. Ross, his wife, George J. Ross, Helen S. Ross, his wife, Cornelia R. McSherry and Isabel Kunkle Daniell.	"	in Equity.
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TO THE HONORABLE:

The Judges of the Circuit Court for Frederick County, sitting as a Court of Equity;
The Bill of Complaint of Theresa K. Ross and Charles W. Ross, III, respectfully shows unto your honors;

1st; That Charles W. Ross, Jr., late a resident of Frederick County, Maryland, departed this life on or about the Twenty-ninth day of June, Nineteen Hundred and Twenty-one, seized and possessed of certain lots of ground and premises situate, lying and being in Frederick City, Frederick County, State of Maryland, on the North side of West Second Street and running through to West Third Street, which said Lots of ground and premises were conveyed unto the said Charles W. Ross, Jr. by two deeds from G. Waring Tyson and Katie A. Tyson, his wife, by deed, bearing date on the Thirtieth day of September, in the year Nineteen Hundred and Four, and recorded in Liber S.T.H. No. 267, Folio 398, one of the Land Records of Frederick County; and which said lot of ground and premises is more particularly described in said deed; a certified copy of which said deed is herewith filed, marked Exhibit "Deed" Tyson and which together with all other exhibits filed herewith is prayed may be taken and considered as part of this Bill; and the other from Noah E. Cramer and Ella Kate Cramers his wife, by deed bearing date on the 10th day of July, in the year 1906, and recorded in Liber S.T.H. No. 276 Folio 24 one of the Land Records of Frederick County, as will appear from the certified copy of said deed herewith filed and marked Exhibit "Deed" Cramer, "That the said Charles W. Ross, Jr. by his last will and testament duly probated, admitted to record and recorded in Liber A.M.P. No. 1, Folio 398, one of the Record Books for Wills in the office of the Register of Wills of Frederick County, Maryland, devised as part of the rest and residue of his estate the above described lot of ground and premises unto his wife, Theresa Kinkle Ross, one of your complainants, for and during her life or widowhood, and did further provide as follows;

"At her death or remarriage I gave, devised and bequeath said rest and residue of my estate to my son Charles Worthington Ross, 3rd, in case he is then living and has attained the age of thirty years.

In the event my said son shall depart this life prior to the termination of the estate hereinbefore given unto my said wife, without leaving any widow or descendants him surviving, I, in that event, give, devise and bequeath the whole of said rest and residue of my estate to my beloved wife absolutely. In the event of my said son's death before he reaches the age of thirty years, and prior to the termination of the estate given my said wife during her life or widowhood, leaving a widow or issue him surviving, I, in that event, authorize and empower him to dispose of said rest and residue, after the termination of my wife's estate, by last will and testament, as his judgment and affection may dictate; and in case he fails so to do, I then authorize and empower my said wife to dispose of said rest and residue by last will and testament as her judgment and affection may dictate.

In the event my said son shall be living at the termination of the estate hereinbefore given to my said wife, and shall then be under the age of thirty years, I give and bequeath said rest and residue of my estate unto John S. Newman, of Frederick City, in trust, nevertheless, to have, hold and manage the same, to invest, and from time to time to reinvest, the whole or any portion thereof, in his discretion, and to pay over the net income therefrom, to my said son Charles