

Worthington Ross, 3rd. into his own hands and not into the hands of another, whether claiming by his authority, or otherwise, from time to time until he shall attain the age of thirty years, when said trust shall cease, and the whole of said trust estate shall be paid over, transferred and delivered into the hands of my said son, and not into the hands of another, whether claiming by his authority, or otherwise.

In the event of the death of my said son during the continuance of said trust estate, I hereby authorize and empower him to dispose of the whole of said trust estate, by last will and testament, as his judgment and affections may dictate; and in case he fails so to do, and leaves neither widow or issue him surviving, I give, devise and bequeath the whole of said trust estate to my said wife, if she be then living; otherwise I give, devise and bequeath the same to such person or persons, and in such proportions as, under the laws of Maryland, in force at the time of his death, would be entitled to the same as he had died seized and possessed thereof."

All of which will more fully appear by certified copy of the said last will and testament of said Charles W. Ross, Jr., herewith filed and marked Exhibit "Will".

3d. That Theresa Kunkle Ross, your complainant, is still the widow of the said Charles W. Ross Jr., and the said Charles Worthington Ross, III, the other of your complainants, is the son of Charles W. Ross, Jr., and is now unmarried and twenty-five years of age.

4th. That if the estate of the said Theresa K. Ross, should now terminate by reason of her death or remarriage, and the estate of the said Charles Worthington Ross, III, should now terminate by reason of his death, the heirs at law of the said Charles Worthington Ross, III, in the event of the predecease of his mother, the said Theresa Kunkle Ross, would be the aunt and uncles of the said Charles Worthington Ross, III, that is, Richard P. Ross, whose wife's name is Blanche S. Ross, George J. Ross, whose wife's name is Helen S. Ross, and Cornelia R. McSherry, who is now divorced, brothers and sisters of the said Charles W. Ross, Jr., and Isabel Kunkle Daniell, who is now divorced, the sister of the said Theresa K. Ross. And the said persons are all of the heirs at law of the said Charles Worthington Ross, III, if at this time he should depart this life, and that all of the said persons are named as parties defendant to this Bill.

5th. That your complainants have lived on the said lot of ground and premises and occupied the same as a home, but that your complainants are now about to remove from the said lot of ground and premises and establish their home elsewhere, and that it will be advantageous to your complainants and to all the parties concerned for the said lot of ground and premises to be sold and the proceeds of sale to be invested under the direction of your Honorable Court.

WHEREFORE your complainants pray for a sale of the said lot of ground and premises heretofore mentioned and for the appointment of a trustee or trustees to make the said sale and for the direction of the investment of the proceeds of sale by your Honorable Court.

And for such other and other relief as the nature and equity of the case may require.

May it please your Honorable Court to grant unto your complainant the writ of subpoena against the said Richard P. Ross and Blanche S. Ross, his wife, George J. Ross and Helen S. Ross, his wife, and Isabel Daniell, all of Frederick County, State of Maryland, and Cornelia R. McSherry, 2610 N. Calvert St. of Baltimore City, State of Maryland, commanding them to be and appear in this court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty, etc.

(Filed March 28, 1928)

Parsons Newman
Solicitor for complainant.