

And it is further ordered and decreed that before entering upon his duties under the said trust, said Parsons Newman shall give bond in the usual form in the penalty of thirty five thousand Dollars (\$35,000.00) if a corporate bond, and \$70000.00 if a personal bond, for the faithful performance of his duties said trustee; said bond to be approved by this Court or the Clerk thereof.

Arthur D. Willard

(Filed February 15, 1932)

EXHIBIT DEED OF TRUST.

THIS DEED, made this 13th day of February, in the year Nineteen Hundred and Thirty-two, by The McCain Orchard Company, a body corporate of the State of Maryland.

W I T N E S S E T H: Whereas, the said The McCain Orchard Company, a body corporate, is indebted unto sundry individuals and corporations in several sums of money, and being unable to pay the whole of such, has by resolution of its stockholders passed at an extraordinary meeting held this day pursuant to a resolution of the Board of Directors, proposed and agreed to assign all its estate, real and personal and effects, unto Parsons Newman of Frederick County, State of Maryland, in trust, for the benefit of its creditors as hereinafter mentioned.

NOW, THEREFORE, the said The McCain Orchard Company, a body corporate, doth grant and convey unto the said Parsons Newman, for and in consideration of the premises and the sum of Five Dollars, (\$5.00), all that tract or parcel of land situate, lying and being in Frederick County, State of Maryland, containing one Hundred Ninety-eight (198) acres, nineteen (19) square perches of land more or less, which was conveyed unto the said The McCain Orchard Company by Elmer Dwight McCain, et al., by deed bearing date on the fifteenth day of April 1922, and recorded in Liber No. 338, Folio 422, one of the Land Records of Frederick County, and on which tract of land the orchards of the Company are located.

TOGETHER WITH all the rights, ways, roads, waters, privileges and appurtenances thereunto belonging or in anywise appertaining, and especially the right to repair and maintain the pipe line across the land conveyed by the said The McCain Orchard Company, et al., to Robert L. Warfield and wife, by deed bearing date on the twenty-fourth day of July, 1928, and recorded in Liber No. 366, Folio 576, one of the Land Records of Frederick County, in which said deed right to said pipe line is reserved.

Second: And the said The McCain Orchard Company, a body corporate, also in consideration of the premises aforesaid, and of the sum of Five Dollars (\$5.00) doth hereby grant, convey, bargain and sell transfer and assign unto the said Parsons Newman, all the personal chattels of the said corporation, consisting of farming and orchard implements, horses, cows, automobiles and trucks and all choses in action of the said The McCain Orchard Company, debts, sundry sums of money, books of account, certificates of indebtedness, and all other personal property of the said The McCain Orchard Company, being situated on the real estate above described and being all the estate, real and personal, of the said corporation.

TO HAVE AND TO HOLD and to take the same upon trust, that he, as soon as conveniently may be, make sale of so much thereof as may be salable, either at public or private sale, for the best prices that can be reasonably had for same, and collect so much thereof as is outstanding and not salable.

And it is hereby declared and agreed that the said Parsons Newman shall stand possessed of the moneys from such sale and to be called in and received as aforesaid upon trust; in the first place to pay and reimburse himself for all such costs, charges and expenses as he shall or may sustain in or about such sales and all other costs and charges which may be incurred in the execution of the trust hereby created, including commissions at the rate prescribed by the rules of the Court for Trustees making sale of real and personal estate under a decree, and reasonable counsel fees to his attorney or attorneys; and then in trust