

were to be used in payment of taxes in arrears, in the payment of the said Mortgage to the Frederick County National Bank of Frederick and interest thereon, in the payment of debts then due and owing; and the balance from any sales to be distributed among the parties as their interest may appear. That the aforesaid agreement and request to the Trustee is filed herewith as a part hereof and marked "EXHIBIT C".

EIGHTH:

That the property on East Eighth Street was conveyed unto the said Cora B. Biser, unmarried, for the sum of four thousand dollars; and the property at 819 North Market Street was conveyed for the sum of three thousand dollars, subject to the payment of all taxes and debts that may be due on said properties.

NINTH:

That the Biser Coal Yard property, hereinabove described, is assessed at the sum of \$4,000.00; that the lot in "Motter Addition" is worth about \$50.00, more or less; that the personal property at the Coal Yard property, at East Eighth Street, and at North Market Street; owned by Ira E. Biser, deceased, and his sister, amounted to an aggregate of \$2,018.15, according to an appraisalment in the Orphans' Court for Frederick County; that stocks owned by said Ira E. Biser, deceased, and Cora B. Biser totalled the sum of \$363.05, according to the appraisalment filed in the Orphans' Court of Frederick County; and that the customer's accounts, bills receivable, amount to approximately one thousand dollars.

TENTH:

That all of the said heirs of the said Ira E. Biser, deceased, are well as the said Cora B. Biser, unmarried, and the said Edward S. Delaplaine believe that creditors of the said Biser Coal Company will be paid in full; and that, in the event of the sale of the Coal Yard property, distribution will be made to Cora B. Biser and unto the heirs of Ira E. Biser, deceased, as their interest may appear.

WHEREFORE, your Petitioner prays your Honorable Court to assume jurisdiction of the said Trust, and for such further and additional relief as the nature of the case may require.

And as in duty bound, etc.,

Edward S. Delaplaine  
SOLICITOR

Edward S. Delaplaine  
TRUSTEE

Affidavit

I HEREBY CERTIFY, that on this 25th day of February, in the year 1936, before me, the subscriber, Clerk of the Circuit Court for Frederick County, Maryland, personally appeared Edward S. Delaplaine, of Frederick City, Frederick County, Maryland, the foregoing Trustee, and made oath in due form of law that the matters and things stated in the foregoing Petition are true, to the best of his knowledge, information and belief.

Witness my hand on the date last above written.

Eli G. Haugh  
Clerk of the Circuit Court for Frederick County.

ORDER OF COURT.

Upon the foregoing Petition, it is thereupon ordered this 25th day of February, in the year 1936, by the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity that the Circuit Court for Frederick County hereby assumes jurisdiction of the trust mentioned in the said Petition; and that the course and manner of proceeding shall be as follows: the said Edward S. Delaplaine, trustee, shall first file in the office of the Clerk of the Circuit Court a bond to the State of Maryland, executed by him with sureties to be approved by the Court or the Clerk thereof, in the penalty of Fifteen thousand dollars, if a corporate