No. 8862. Equity.

Petition of Ancillary Receivers for authority to accept offer of George M. Oyster Jr. and Courts thereon.

Filed Nov. 22/1912.

To the Honorable the Judges of Said Court:—

The petition of Richard J. Enshaw and Lloyd Lowrastier, Ancillary Receivers of the Baltimore & Washington White Cross Milk Company, have received from George M. Oyster Jr. an offer for the purchase of all of the assets of the Baltimore & Washington, District of Columbia in Frederick County, Maryland and elsewhere, with the exception of the Cash, and Cash items on hand and bills and accounts receivable, as will more fully appear by reference to said original offer herewith filed.

Second: That this offer is made upon the condition that proper proceedings be had and proper parties made in the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity, to enable your petitioners to convey a good and marketable title to the real estate of the said Baltimore & Washington White Cross Milk Company located in Frederick County, Maryland.

Third, That in pursuance of this requirement in the offer, your petitioners have succeeded in making parties either by Consent or on Petition, the following parties: By petition and Courts' Order thereon, dated November 8, 1912, Charles Westheimer, Assignee of the Central National Bank of Frederick, representing Fifty first Mortgage bonds of the par value of One Hundred Dollars each, and A. S. Overholex, representing fifteen first mortgage bonds of the par value of One Hundred Dollars [redacted], were made parties Plaintiff. That on November 21st, 1912, George L. Breenman, representing One Hundred first mortgage bonds of the par value of One Hundred Dollars each, voluntarily appeared in the above entitled cause by a petition setting up his consent as a bondholder under said first deed of trust to the sale being made by said Receivers, A. S. Overholex party Plaintiff as above, likewise filed a similar consent on November 18th, 1912. Thus these parties represent the total or bonds actually issued and outstanding under a first deed of trust to Charles Westheimer and Albert S. Gatty, Trustees dated January 15th, 1912 and recorded in H. W. B. No. 799, folio 2 one of the Land Records of Frederick County.