

1914 in some newspaper published in Frederick County.

Glenn H. Worthington.

PETITION OF EDWIN C. MARKELL AND COURT'S ORDER.

To the Honorable the Judges of said Court--

The petition of Edwin C. Markell, individually and not as trustee respectfully shows unto Your Honors--

1. That the said Curtis E. Burdette executed a certain Chattel Mortgage unto Your petitioner on the 24th day of September 1912, which is duly recorded in liber H. W. B No. 303 folio 372, one of the land records for Frederick County to indemnify the said Edwin C. Markell from any loss that might occur to him by reason of his having become a surety upon several promissory notes, therein set forth and recited, which said notes amount in the aggregate to \$2000. and that the said Charles E. Burdette executed another chattel mortgage unto Your petitioner on the 5th day of December 1912, which is recorded in liber H. W. B. No. 301, folio 517 to indemnify the said Edwin C. Markell from any loss that might occur to him by reason of his having become surety upon a promissory note of \$700. payable to the Frederick Savings Institution, all of which will more fully and at large appear by reference to the said Chattel Mortgages the original of which are filed herewith marked exhibit B to this petition, and prayed to be taken as a part hereof.

2. That the said Curtis E. Burdette did not pay the aforesaid notes when the same became due and payable, and your petitioner has become liable therefor, and has agreed to pay the same to the said Fredericktown Savings Institution, together with the interest due thereon.

3. That your petitioner is advised and believes that the two said chattel mortgages were valid liens and legally preferred claims upon the personal property of the said Curtis E. Burdette and that your petitioner is entitled to be paid the same from the proceeds of the sale of the personal property a portion of which is now in the form of cash in the hands of Your petitioner as trustee of the estate of the said Curtis E. Burdette and that the cash aforesaid now amounts to \$1515.08 and it will be to the best interest of all the parties interested to have said sum of \$1400 paid unto your petitioner in order that the same may be credited upon the total indebtedness due him, and that it may cause the interest to stop upon such sum.

Wherefore your petitioner prays your honors to pass an order of Your Honorable Court authorizing Edwin C. Markell as trustee of Curtis E. Burdette, to pay unto your petitioner the sum of \$1400. which he now holds as such trustee in order that the same may be applied in part payment of the debt and interest secured by the said Chattel mortgage.

And as in duty bound etc.

Edwin C. Markell

Subscribed and sworn before me this 21st day of March 1914.

Harry W. Bowers,

Clerk of the Circuit Court.

March 21 1914.

The foregoing petition and affidavit, and the exhibits filed herewith having been duly read and considered by the Court, and it appearing to the Court that it will be to the benefit and advantage of the creditors of this estate to have the said Chattel mortgage or as much thereof as possible paid off, in order to avoid paying interest thereon any longer, it is thereupon this 21st day of March 1914 ordered by the Cir-