

ORDER APPOINTING RECEIVERS.

Upon the Bill of Complaint and the exhibits filed therewith the interference of the Court being necessary to a proper presentation of the property; It is ordered by the Circuit Court for Frederick County in Equity this 7th day of September, A. D. 1908, that John T. Fogle and Thomas A. Dunshee be and they are hereby appointed receivers of this Court for the Virginia Consolidated Copper Company, a body corporate, to take charge of and hold the property and assets of said corporation until the further order of this Court and before proceeding to act as said receivers they shall file in the office of the Clerk of the Circuit Court a bond to the State of Maryland executed by them with a surety of sureties to be approved by the Court or the Clerk thereof in the penalty of Ten Thousand Dollars consideration for the faithful performance of the trust reposed in them by any future order or decree in the premises, which premises is hereby reserved to the defendants to come in and move for the discharge of said receivers.

John G. Motter.

PETITION OF MANASSAH O. REPP AND COURT'S ORDER.

To the Honorable the Judges of said Court--

1. That upon the Expart petition of the Plaintiffs in the above entitled case an order was passed by Your Honorable Court on September 7, 1908, appointing John T. Fogle and Thomas A. Dunshee receivers for the defendant, the Virginia Consolidated Copper Company to take charge of and hold the property and assets of said corporation until the further order of Your Honorable Court.
2. That in said petition it was alleged that the property of the said Virginia Consolidated Copper Company consists of a twenty-year leasehold interest in a tract of land situated in Frederick County and particularly described in the lease creating said interest executed by Manasseh O. Repp and Sarah E. Repp, his wife, to the said Company dated April 7, 1914 and recorded in liber S. T. H. No. 271 folio 263, one of the land records of Frederick County, a certified copy of which is filed as Exhibit No. 1, to said petition, and certain machinery, appliances, instrumentalities, chattels and other equipment necessary for the operation and conduct of its business in the mining, preparing, and transportation of copper and other ores, in upon and from this said tract of land, and it is further alleged in said petition that said property constitutes the entire assets of said company.
3. That the said Virginia Consolidated Copper Company had not at the time of the filing of the petition and the appointment of said receivers, and has not now, any substituting interest whatsoever in the lands, machinery, appliances, instrumentalities, chattel or other equipment mentioned in said petition, or any substituting interest in or under the lease therein mentioned, but the entire and absolute ownership of all of the said land and property is in your petition.
4. That the said Virginia Consolidated Copper Company covebanted and agreed with your petitioner and Sarah E. Repp, his wife, in the said lease exhibited in said petition that the said Company would take immediate possession of the said property thereby demised, or at least within thirty days from the date of said lease, and commence at once mining operations thereon and carry on the workings of the dumps as said dumps shall prove sufficiently profitable to justify working the same, and to carry on the said mining operations continuously during the term of this lease, except when prevented by unavoidable occurrences over which they have no control shall continue for a period of six consecutive months, or if the said Virginia consolidated Copper Company from any cause whatsoever shall fail to carry on the said mining operations less than six months in any one year, or shall fail at any time to pay the minimum royalty or rent of \$100. per month as stipulated in said lease for a period of six months, then the said lessors