

PETITION AND COURT'S ORDER.

Frederick Mertens, et al.

vs.

White Cross Milk Company,
a corporation, et al.

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No. 9457 Equity.

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The petition of William L. Browning and Charles McC. Mathias, Receivers in the above entitled matter respectfully shows unto your Honors:-

1. That by virtue of an agreement between the White Cross Milk Company, a corporation, and Messers E.J. Zimmerman, R.D. Zimmerman, M.L. Zimmerman, J.T. Droneburg and C.A. Rice, there was deposited by the White Cross Milk Company in the Farmers & Mechanics National Bank of Frederick the following sums to indemnify them against any loss by reason of the failure of the said The White Cross Milk Company to pay any sums due said shippers at any stated period, should the said The White Cross Milk Company become insolvent. The following sums were deposited in pursuance of the above agreement, to-wit

E.J. Zimmerman,	\$65.00
R.D. Zimmerman,	40.00
M.L. Zimmerman,	85.00
J.T. Droneburg,	115.00
C.A. Rice,	25.00
Total	\$330.00

A copy of which said agreement in form of a letter from The White Cross Milk Co. is filed herewith marked Exhibit E & A.

2. That on the 27th day of April, in the year 1916, the said White Cross Milk Company was placed in the hands of Receivers appointed by your Honorable Court, and at the time there were justly due and owing said shippers heretofore mentioned for milk previously furnished the said White Cross Milk Company, the following sums, to-wit:--

C.A. Rice,	\$117.46,
J.T. Droneburg,	19.69,
E.J. Zimmerman,	20.50,
R.D. Zimmerman,	38.51,
M.L. Zimmerman,	39.90,
Total	\$236.06

3. That in pursuance of the terms of the agreement heretofore mentioned, said shippers herein named are entitled to receive the sums deposited as a guarantee of the payments due them at the time the company went into the hands of Receivers, or such parts thereof, as were then due; and the balance remaining your petitioners respectfully submit should be turned over to them by said Farmers & Mechanics National Bank as a part of the assets of said estate.

WHEREFORE YOUR PETITIONERS PRAY that your Honorable Court may pass an order authorizing the said Farmers & Mechanics National Bank of Frederick to pay to C.A. Rice the sum of \$115, the amount of guarantee deposited to save him harmless from loss, and to the other shippers hereinbefore mentioned the amounts hereinbefore set forth, and to pay unto your Petitioners the balance of said fund now in the hands of said Bank. And as in duty bound, etc.

William L. Browning
Charles McC. Mathias.
Petitioners,

The foregoing petition having been read and considered, it is thereupon this 8th day of May, in the year 1916, by the Circuit Court for Frederick County, sitting as a Court of Equity and by the authority thereof, adjudged, ordered and decreed that the said Farmers & Mechanics National Bank of Frederick, Maryland, be and it is hereby authorized and directed to pay unto C.A. Rice the sum of \$115.00, the amount of money deposited by the White Cross Milk Company to secure him against loss in the event of a failure of the said Company, and to the other shippers herein named the sums hereinbefore specified; as due them respectfully and further to pay over unto the Receivers of the said The White Cross Milk Company the balance of \$93.94, to be held by them as part of the assets of said receivership.

Glenn H. Worthington.