

PETITION FOR INTERVENTION

To the Honorable Judges of the Circuit Court for Frederick County.Md.

Leave of Court being first had and obtained, the Continental Trust Company of the District of Columbia, substituted trustee, hereby becomes a party plaintiff in the above entitled cause, and files this intervening petition, respectfully showing unto the Court as follows: That the petitioner, Continental Trust Company of the District of Columbia, is a corporation organized and existing under the code of laws of the District of Columbia, and brings this suit as substituted trustee under a certain deed of trust hereinafter more full described.

2. That the defendant, The White Cross Milk Company, Incorporated, is a corporation duly organized and incorporated under the laws of the State of Virginia on, to-wit, the \_\_\_\_ day of \_\_\_\_\_, 1912, under the name the White Cross Milk Company, Incorporated; that said defendant owns property and does a general milk and dairy business in the State of Maryland, and in the District of Columbia.

3. That heretofore, to-wit, the 27th day of April, 1916, a suit was instituted in the Supreme Court of the District of Columbia wherein Fred Mertens and others, trading as F. Mertens' Sons, were plaintiffs and the White Cross Milk Company and United States Trust Company were defendants asking for the appointment of a receiver, and upon said bill of complaint and the answer thereto of the defendant the said Supreme Court of the District of Columbia did on, to-wit, the 27th day of April, 1916, appoint William L. Browning receiver in said cause; and thereafter, to-wit, on the 27th day of April, 1916, a bill of complaint was filed in this Honorable Court by the same plaintiffs against the said defendant therein for the appointment of an ancillary receiver, and on, to-wit, the 27th day of April, 1916, this Honorable did appoint William L. Browning and Charles McC. Mathias as its receivers of all the property and assets of the defendant, The White Cross Milk Company, Incorporated, located within the State of Maryland.

That at the time of filing said bill of complaint referred to in the forgoing paragraph the plaintiffs therein advised the court that the United States Trust Company of the District of Columbia, a trustee under a mortgage given by the defendant, The White Cross Milk Company on its property to secure an issue of bonds, all of which will hereafter more fully appear, had ceased to do business and was in the process of dissolution, and said plaintiffs prayed the courts to appoint a substituted trustee under said deed of trust or mortgage; that the Supreme Court of the District of Columbia, by its order passed on the 27th day of April, 1916, did appoint your petitioner, Continental Trust Company of the District of Columbia, as substituted trustee under said mortgage, with all the rights, powers, privileges, obligations and duties theretofore vested in or exercised by the United States Trust Company, trustee, and this Honorable Court did on, to-wit, the 3rd day of June, 1916, appoint the said Continental Trust Company of the District of Columbia as substituted trustee under said Mortgage.

4. That the defendant, The White Cross Milk Company, Incorporated, in pursuant of the authority and power given to it by its charter and by resolutions of its directors and stockholders did heretofore execute, issue and deliver on or about the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and at various times thereafter to various persons, firms and corporations for value and for the considerations and purposes and in the manner described in the deed of trust hereinafter described, its bonds to the amount of \$100,000, which said bonds were dated the 1st day of February, 1913, in each thereof the defendant promises to pay to bearer or the register holder thereof the sum of \$1000 on the 1st day of February, 1923, with interest at the rate of 5% per cent per annum, payable semi-annually, on the 1st day of February and the 1st day of August in each year until maturity of said bond; that a copy of each of said bonds (except as to the serial numbers thereof and the names of the officers signing the same, the date and dates of the