

And it is further stipulated, covenanted and agreed in said deed of trust that the Trustee, after the sale of said property in the manner described in said deed of trust, and after payment of expenses, fees etc., is to apply the proceeds to:

"The payment of the whole amount then owing and unpaid upon the redeemed bonds hereby secured for principal and interest with interest on the overdue installments at the rate of 6 per centum per annum, and in case such proceeds shall be insufficient to pay in full the whole amount so due and unpaid upon said bonds, then to the payment of such principle and interest, without preference or priority or principal over interest or interest over principal, or any installment of interest over any other installment of interest, ratably, to the aggregate of such principal and the accrued and unpaid interest."

And if any surplus remaining, to pay the same over to defendant Company, its successors or assigns, or to whomsoever may be lawfully entitled to receive the same.

The said Deed of trust was duly executed by the United States Trust Company, and was duly recorded on the 1st day of October, 1913, in Liber H.W.B.No.305 folio 546 of the land Records of Frederick County, in the State of Maryland, and also in Liber _____ folio _____ in the Lane Records of the District of Columbia .

6. Upon information and behalf the petitioner states that \$100,000 of bonds of the said defendant Company were issued pursuant to the resolution of the stockholder and directors of the said defendant Company, and are now outstanding, as aforesaid, and are secured by the said deed of trust to the United States Trust Company, as Trustee; that they were duly certified and issued in the manner and for the consideration and purposes provided and defined in and by the provisions of said mortgage.

7. That the holders of more than \$50,000 of said bonds outstanding, as aforesaid, have heretofore and do hereby request in writing that your petitioner, as substituted Trustee intervene in this cause and ask, on their behalf, as the holders of said bonds the relief hereinafter prayed for.

8. That the defendant, The White Cross Milk company, Incorporated, has defaulted in the payment of interest due February 1st, 1916, and August 1st, 1916, on all of its said bonds; that due and prompt demand for payment thereof, has been made for the payment thereof, and that no part of said interest was at the time of said demand, nor has since been paid, and the said defendant, with respect to the interest payment, has wholly failed to comply with the stipulation, covenants and conditions contained in said deed of trust and the bonds secured thereby.

9. That the defendant is insolvent and unable to pay its expenses and accruing obligations; that it is in default in the payment of interest on its bonds, as aforesaid and is unable to pay its floating debts, and current and present accruing indebtedness, including taxes levied and assessed upon its property, and amounts due and becoming due from wages, labor, and current expenses for the operation of its business.

WHEREFORE THE PREMISES CONSIDERED your petitioner prays as follows:

1. That the deed of trust hereinbefore mentioned and described may be decreed to be a first lien upon all the property real, personal mixed, or corporate franchise now owned, described in said mortgage or deed of trust, and owned at the time of the execution thereof, or subsequently acquired by the defendant Milk Company, prior and superior to any other liens whatever; and that the defendant may be decreed to pay to the petitioner, the Continental Trust Company, of the District of Columbia, the substituted Trustee, all money now due or payable under and by virtue of said deed of trust and in default thereof, that the defendant and all persons claiming under it may be forever barred and foreclosed by and from all equity of redemption and claim of, in and to the property described in the said deed of trust, and that all and singular the said property may be sold by petitioner jointly with the receivers heretofore