

No.10988 E Q U I T Y.

Baltimore Commercial Bank, a body
Corporate, and Arthur C. Adams, Agent,

Vs.

Alexander Armstrong, John S. Newman
and Vincent Sebold, Trustees in
Bankruptcy of J. Stewart Annan,
Edgar L. Annan and Andrew A. Horner.

No.10988 E Q U I T Y.

In the Circuit Court for

Frederick County, Sitting

as a Court of E Q U I T Y.

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TO THE HONORABLE, THE JUDGES OF SAID COURT; -

The Bill of Complaint of the Baltimore Commercial Bank, a corporation duly organized and existing under the laws of the State of Maryland, and having its principal place of business in the City of Baltimore, Maryland, and Arthur C. Adams, Agent of the said Baltimore Commercial Bank, respectfully represents unto your Honors;

1. That the Baltimore Commercial Bank is a body corporate of the State of Maryland, and that Arthur C. Adams is an Assistant Cashier and Agent of the said Baltimore Commercial Bank and holds the hereinafter mentioned mortgage for the use and benefit of the said Baltimore Commercial Bank.
2. That Alexander Armstrong, John S. Newman and Vincent Sebold are Trustees in bankruptcy of J. Stewart Annan, Edgar L. Annan, Andrew A. Horner and Anna E. Horner, individually and as partners in the Matter of J. Stewart Annan, et als., co-partners trading as Annan, Horner & Company, bankruptcy, being No. 3885, Bankruptcy Docket "0" in the United States District Court for the District of Maryland.
3. That on April 15, 1919, John S. Hollinger and Kezziah F. Hollinger, his wife, conveyed unto J. Stewart Annan, Edgar L. Annan and Andrew A. Horner, a large orchard property consisting of three contiguous tracts of land, two of said tracts being located in Adams County, Pa., and the third tract ^{being} located in Emmitsburg Election District, Frederick County, Md., said deed of conveyance being recorded in the land records of said Adams County, Pa., and also among the Land Records of said Frederick County, Md., in Liber No. 342, folio 595 etc., a certified copy of said deed being filed herewith as Exhibit No. 1; and that the said J. Stewart Annan, Edgar L. Annan and Andrew A. Horner held and operated the said property as partners trading as the BLUE MOUNTAIN ORCHARD COMPANY, under which name and style an extensive orchard business was carried on.
4. That on the first day of November, 1921, J. Stewart Annan, Edgar L. Annan and Andrew A. Horner executed and delivered a mortgage to Annan, Horner & Company, (the said Annan, Horner & Company likewise having been since adjudicated bankrupts in the above mentioned proceedings), said mortgage covering all of the said orchard real property consisting of the said three contiguous tracts, located as aforesaid, the said mortgage having been given to secure a note in the amount of Fifteen Thousand Dollars (\$15000.00) given by the said J. Stewart Annan, Edgar L. Annan and Andrew A. Horner, trading as the Blue Mountain Orchard Company to the said mortgagees, dated October 28, 1921, and payable ninety days after date; the said mortgage being recorded in the Land Records of Frederick County, Maryland, in Liber No. 341, folio 254, and being filed herewith as Exhibit No. 2 and prayed to be taken as a part of this Bill of Complaint as though included in terms herein, and the said mortgage note of Fifteen Thousand Dollars (\$15000.00) being filed herewith as Exhibit No. 3, and prayed to be taken as a part of this Bill, of Complaint.
5. That on or about the third day of November, 1921, Andrew A. Horner, J. Stewart Annan, Rose J. Annan and Anna E. Horner being all of the members of the co-partnership of Annan, Horner & Company, mortgagees, duly assigned the aforesaid mortgage, together with the note secured thereby and all moneys due or to become due thereon, to Arthur C. Adams, Agent, the said Arthur C. Adams being in fact Agent for the Baltimore Commercial Bank, which assignment was duly recorded in the Land Records of Frederick County, Maryland, in Liber No. 340, folio 521 and is filed herewith as Exhibit No. 4 and prayed to be taken as a part of this Bill of Complaint.