

folio 21 one of the Will Records in the office of the Register of Wills for Frederick County, Maryland.

SECOND: That your Petitioners were appointed Executors under the said Will and have qualified as such.

THIRD: That among other assets of the estate, there are three Five Thousand (\$5,000) Dollar notes of Leo Weinberg and L. Ray Weinberg, his wife, dated March 1, 1929, payable one year after date with interest at the rate of six per cent (6%) per annum payable semi-annually.

FOURTH: That said notes together with seven other all bearing the same date payable in like amount were and are secured by a certain Mortgage bearing date March 1, 1929, between Leo Weinberg and L. Ray Weinberg, his wife, and the Central Trust Company of Maryland, Trustee, duly recorded in Liber 369, folio 464, one of the Land Records of Frederick County, Maryland, a certified copy of which is herewith filed and marked Exhibit A and prayed to be considered as a part hereof.

FIFTH: That said Central Trust Company of Maryland one of the Defendants, is incapable of acting as Trustee under the aforesaid Mortgage.

WHEREFORE Your petitioner prays your Honorable Court.

1. That it may assume cognizance of said trust.
2. That a substitute Trustee be appointed in the place of and stead of the Central Trust Company of Maryland under the aforesaid Indenture bearing date March 1, 1929.
3. That they may have all such other and further relief as the nature of their case may require.

And as in duty, etc.,

Philip Wertheimer

Benjamin B. Rosenstock

Hammond Clary

Solicitor

STATE OF MARYLAND, FREDERICK COUNTY, SCT:

I hereby certify that on this 27th day of October, 1933, before me, the subscriber, a Notary Public of the State of Maryland in and for Frederick County, personally appeared Philip Wertheimer and Hammond Clary, Executors under the Last Will and Testament of Francis K. Wertheimer, deceased, the Petitioner, and made oath in due form of law that the matters and things set forth in the foregoing Petition are true and bona fide to the best of their knowledge, information and belief.



M. Margaret Marsh

Notary Public

Upon the foregoing Petition and affidavit, it is ordered this 27th day of October, 1933, by the Circuit Court for Frederick County, in Equity, that JOHN J. GHINGHER, Receiver of the Central Trust Company of Maryland, and the Central Trust Company of Maryland, show cause, if any they or either of them have, why the relief prayed for in said Petition should not be granted; provided a copy of this Petition and Order be served upon the said JOHN. J. GHINGHER, Receiver, or upon John S. Newman, Esquire, his Solicitor of Record, as well as upon the President or a Vice-President of the Central Trust Company of Maryland.

Hammond Urner

(Filed October 28, 1933)

DECREE