No. 8013 Equity.

Washington D. C., and at Frederick City, Frederick County, State of Maryland, respectively. That as such Managers neither of said defendants have at any time rendered any account whatever to this Corporation of the money received by them. Nor have there been any meetings held at which any reports as to various contracts entered into by said managers respectively were considered. That several of the Directors are non-residents of District of Columbia where principal office of Company is located, and that it has been impossible to get a majority of the Directors to attend a meeting to remove said defendants Holmes and Eichelberger. That it is true that quite a number of said contracts have been entered into by the defendant, Gilmore T. Holmes, as manager for said Company in the City of Washington, District of Columbia, but this defendant is unable to state the number of said contracts, the names of said parties or the amounts to which said Company is liable under any of said contracts aforesaid. That said Holmes as manager aforesaid, has in his custody the books of said Company, and that said Corporation, having explicit confidence in the ability and integrity of said Holmes has allowed said Holmes full power to make said said contracts and to draw against the funds of said Company deposited with the American National Bank of the City of Washington District of Columbia. That recently it has come to the attention of said Company and its President that the said Holmes has utterly failed to properly manage the affairs of said Corporation; that he has allowed the taxes due the State granting the charter of said Corporation to become delinquent, whereby said charter has been declared forfeited under the laws of said State, and that at the present time said Corporation is totally insolvent and unable to meet its just obligations. And this defendant consents that a receiver or receivers be appointed by this Court to take immediate charge of the assets of said Corporation and administer them in the interests of the stockholders and creditors of said Company.

And having fully answered this defendant prays to be hence dismissed with his proper costs in this behalf sustained.

Daniel M. Shehan.

Walter T. Johnston.
Sol. for Deft

State of Maryland, Montgomery Co. ss.—
Daniel M. Shehan, being first duly sworn, deposes and says that he is the president of the Builders' Supply Company, one of the defendants in the above entitled cause: that he