No. 8013 Equity.

Answer of Gilmore T. Holmes.

Filed May 7th 1906.

This defendant, saving and reserving unto himself all and all manner of benefit of exception to the many errors, uncertainties and imperfections in the Bill of Complaint in the manner and form that the same are therein contained, and praying to have the same benefit thereof as if he had specifically demurred to said Bill, and not intending to waive the benefit of such demurrer, nevertheless, for answer thereto or to so much and such parts thereof as he is advised that it is in any manner necessary and material for him to answer, answers and says:—

I. This defendant admits the truth of paragraph I of said Bill.

2. This defendant admits the truth of the allegations in paragraph 2, in so far as the same are material. Except that he denies that the Builders' Supply Company has or ever had a Branch office in the city of Frederick, County of Frederick, State of Maryland, or that this defendant has a personal office in the City of Washington, District of Columbia.

3. In answer to Paragraph 3 this defendant says that heretofore to-wit, on the Sixteenth day of March a.D. 1903, the Corporation by the name of Builders' Supply Company was organized and incorporated under the laws of the State of Delaware to exist perpetually by Marshall Tant, Gilmore T. Holmes, Daniel W. Shean, Edward S. Eichelberger and Fred Drew.

This Defendant denies the allegations in said paragraph "That he round mortgage his home."

This Defendant says that he was appointed Assistant Treasurer and Manager for said Corporation, Builders' Supply Company of the District of Columbia, at the organization of said Company, and continues so to act until restrained by an order of the Supreme Court of the District of Columbia made on the twentieth day of April 1906; that as such manager, until the date last aforesaid he had charge of the books of account of said Corporation and of the stock books and contracts, and had power to sign checks on the depository of said Corporation, but he denies that the possession of the books aforesaid was exclusively within his custody, power and control. He expressly and emphatically denies that the orator, Fred Drew "has repeatedly demanded the right to see the books of said Corporation from said defendant Holmes" On the contrary, the said Drew from the time of the organization of said Company down to and including the twentieth