

so unsecured are long overdue, unpaid and are justly owing from the defendant Milk Company to the plaintiffs, including the several accounts advanced on account of the aforesaid bonds.

7. The plaintiffs further show to the court that the financial condition of the defendant Milk Company has become desperate; that it is without funds to meet its current obligations; that it owes very large sums for feed for its horses, and for coal and other necessary supplies; that it owes large sums to parties who have sold it milk in order to maintain and supply the customers of the defendant Milk Company on its various routes, the maintenance of which constitute the principle asset of the defendant Milk Company. The plaintiffs are further advised and believe and therefor avers that the checks recently set out to farmers in payment of the milk supplied for the past week have been returned unpaid, and that the supply of milk is threatened to be cut off by the farmers who have been supplying milk to the defendant Milk Company because of its inability to meet its obligations; and the plaintiffs are further advised that the defendant Milk Company is absolutely without the necessary money to buy the milk and carry on its business; the plaintiffs are further advised by the officers of the defendant Milk Company that it can no longer raise money with which to buy feed for its 31 horses, nor pay the employes to carry on the business, but that if the same is suffered, even for a day to lapse, the hundreds of customers who they serve will be lost to the company and its resources jeopardized, and the bond holders and creditors would suffer thereby.

8. The plaintiff further shows to the court that no part of the semi-annually interest due upon the aforesaid bonds of the defendant Milk Company, and payable on the first day of February 1916 HAS been paid, and the same is now overdue; and the defendant Milk Company is without the means or resources to pay the said interest.

9. The plaintiff further show to the court that the defendant, the United States Trust Company, the trustee under the deed to secure the aforesaid bond issue, has, by decree of this Honorable Court, been dissolved, and is doing no business whatever, and the defendant Tucker K. Sands was, by this Court, duly appointed receiver of the said trust Company, and is now acting as such; that because of the fact that the United States Trust Company is now in process of dissolution and has in fact been dissolved, and is doing no business whatever, it is unable to discharge its duties as trustee under the aforesaid deed of trust, and the plaintiffs cannot secure the relief under the deed of trust to which they are entitled without the aid of this Honorable Court.

10. The plaintiffs further show to the court that as creditors of the defendant Milk Company, as well as being interested in the security of the aforesaid bonds, it is imperatively necessary that not only should a trustee be appointed in the place and stead of the United States Trust Company, under the aforesaid deed of Trust, but that a receiver should be forthwith appointed to take immediate possession of all the defendant Milk Company's property, with authority to raise the necessary money by receiver's certificates or otherwise to temporarily carry on the business of the defendant Milk Company until the same can be sold. The plaintiff further show to the court that they have been advised by officers of the defendant Milk Company that they have made an effort to sell the said business; but the best offer they have been able to secure is \$35,000. for all of the property of the defendant Milk Company, provided the title and possession can be delivered to the purchaser.

11. The plaintiffs further show to the court that the defendant Milk Company, being a non-resident corporation, unsecured creditors have threatened attachment suits, which, if permitted would cause the assets of the company, not only to be dissipated, to the jeopardy of the bondholders, but would greatly depreciate the possibility of a sale of the company as a going concern, which is the only way an adequate sum can be realized from the property. The Premises considered the plaintiff prays!

1. That the White Cross Milk Company, a corporation, the United States Trust Company, a corporation, and Tucker K. Sands, receiver, may be made parties defendant hereto and required to answer the exigencies of this bill.

2. That rule may be issued against the defendant, the United States Trust Company and Tucker K. Sands, Receiver, requiring them to show cause why a trustee should not be appointed by this court as substitute in the place and stead of the United States Trust Company.