BILL OF COMPLAINT

BUTLER BROTHERS, INC., a body corporate,	"	No. 14296 EQUITY
Complainant	"	IN THE CIRCUIT COURT
vs	"	FOR FREDERICK COUNTY
ALBERT SEGALOFF and CHARLES A. SEGALOFF & SON,	"	IN EQUITY
Defendants	" -----"-----	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Butler Brothers, Inc., a body corporate, respectfully shows unto Your Honors:

1. That the Complainant is a national distributor and wholesaler of general merchandise, with an office in the City of Baltimore, State of Maryland, and brings this suit in its own right as a creditor of Albert Segaloff and Charles A. Segaloff & Son, and on behalf of other creditors of said Defendants who will come in and contribute to the expenses of this suit.

2. That the Defendants have been and are in the business of selling wearing apparel and general merchandise on the west side of South Market Street in Frederick, Maryland.

3. That the Defendants, Albert Segaloff and Charles A. Segaloff & Son, are indebted unto the Complianant in the sum of Five Hundred Eighty-one Dollars and Ninety-nine Cents ($581.99) on open account for merchandise purchased during the months of August, October and December of 1940, and sold in the usual course of business, all of which, except the December purchase, being past due for payment.

4. That your Complainant is advised and therefore avers that the Defendants are indebted unto divers other creditors in the approximate sum of Five Thousand Dollars ($5,000.00) to Six Thousand Dollars ($6,000.00); and the Complainant is reliably advised that thet Defendants have been operating at a loss for months; that no new purchasers are being made and merchandise is being sold and consumed in labor and rent; that the assets are being gradually dissipated to the detriment of creditors; and that the business of the Defendants is hopelessly insolvent and is unable to continue to operate because of lack of capital.

5. That your Complainant is advised and therefore avers that Charles A. Segaloff, one of the partners of this business, died on or about July 23, 1940, and thereafter Albert Segaloff, a son and partner in the business, took over the business and operated it under the firm name of Charles A. Segaloff & Son, but is now physically and mentally incapacitated and unable to give the business personal supervision and attention, and the Complainant is apprehensive that the assets of the Defendants, Charles A.Segaloff & Son, will continue to be dissipated to the detriment of the creditors; that creditors will institute proceedings in Court looking to recovery of their claims, thereby creating a preference to the detriment of other creditors; and your Complainant charges and avers that it would be beneficial to all the creditors of the Defendants to invoke the jurisdiction of your Honorable Court and have the property of the said Defendants administered by receivers, whereby a just and equal distribution of the assets can be made without preference or priority.

6. That your Complainant is advised and therefore avers that the goods and merchandise of the Defendant has an approximate value of Two Thousand Five Hundred Dollars ($2,500.00), and that the real estate of the Defenant has an equity between its actual value and the mortgage lien against it of Two Thousand Five Hundred Dollars ($2,500.00).

WHEREFORE, your Complainant prays for the following relief:

(1) That a receiver or receivers may be appointed by your Honorable Court to take possession of and control and manage the property and assets of the Defendants, and for that purpose to appoint all necessary agents and employees to convert the outstanding assets into