2d To the second Cross Inty he answers that he never heard said Randall speak on the subject of his indebtedness to the complainant but once and that was in the back room of the office of one of the concerns said Randall then appeared to be in trouble he said that he had been down and seen John Glenn and that Mr Glenn had told him he would have to fail and take the benefit that it was a great shock to him that he never could think of doing that that he had property enough to pay all his liabilities and that he had told Mr Glenn so and that Mr Glenn said that being the case you must not fail that he Glenn would sustain him and that if he had an abundance of property to give him, Glenn, a list of the property and he would sustain him. A short time after this deponent asked the said Randall in conversation how he got along, he stated that he had given Mr Glenn a list of his property and that Mr Glenn then agreed if he would make him secure to bring him thro his (Randalls difficulties, which he (Randall) intended to do. A short time after this he stated to deponent that he had assigned to John Glenn his interest in the lumber concerns of which he was a member.

David M. Peine of lawful age produced sworn and examined on the part of the complainant.

1 To the first Inty he answers that he has looked at said paper D. M. P. No 1 that the same is in the hand writing of Beale Randall and was received by deponent. The endorsement of Randall to Peine 20th July 1833 is in the hand writing of Mr Reverdy Johnson.

2. To the second Inty he answers that he has looked at the paper marked "D. M. P. No 2" and the same is in deponents hand writing. The occasion of said papers being drawn up to the best of deponents recollection was for the purpose of ascertaining what was the situation of Colonel Randalls affairs at the time in regard to his pecuniary concerns and to ascertain whether he was able to meet his pecuniary liabilities and to see whether his friends would be safe in assisting him in going on. He cannot say positively when it was drawn up but would suppose it was drawn up some short time after the receipt of the letter marked D. M. P. No 1. To the best of his recollection the statements on said paper were derived from Col Randall deponent could not have got them from any body else. He cannot say positively at whose suggestion it was made up but supposes it was made at his (deponents) for the purpose of ascertaining what the facts were. The endorsement "Peinne's statement of Randalls condition as taken from Randall" filed 18th April 1835 is in the hand writing of Reverdy Johnson. The figures on the back of said paper are in the hand writing of deponent.

3. To the third Inty he answers that the paper marked D. M. P. No 3 now shewn him, is in the hand writing of Col Beale Randall.

4. To the fourth inty he answers that he has looked at the paper marked "B. R. I. N." and the same is all in the hand writing of this deponent except the two last rows of figures viz 4.450 and

40.000. He does not remember when it was drawn up or under what circumstances. He has no recollection on the subject. To the Cross interrogatories he answers.

IX To the first Cross Inty he answers that it is probable that he may have exercised his own judgment in affixing the value in some of them, but in looking over the said papers deponent states that he could not have done so in many instances because he knew nothing of much of the property therein mentioned, but where he knew the property he presumes he exercised his own judgment in regard to the value. In regard to the lumber concern he has no doubt that the estimate of it in said paper was the estimate of the parties interested in it but deponent himself had no personal knowledge of its real value for tho' a partner in said concerns he trusted to his associates in the business. Deponent has no doubt that the estimates met with deponents sanction at the time, as to their value for as a consulting friend he thinks he would have corrected any extravagance in the value on the part of Col Randall.

2d To the second Cross Inty he answers that he has no statement in the handwriting of Col Randall and has no statement except those already deposed unto and he gave up all the papers in his possession to the arbitrators when they were acting in the matter. Deponent has no recollection of any other statement than those shown to him and filed under the Commission.

William H. Gatchell of lawful age produced sworn and examined on the part of the complainant deposes as follows.

1st To the first Inty he answers that he has looked at the said paper marked D. M. P. No 2. He does not know any thing whatever of said paper except that it is in Mr Peines hand writing, but he knows there were papers drawn up by said Peine on data furnished by Mr Beale Randall shewing all the property of which he was in possession or had any title or claim to, shewing all his responsibilities on every account in which were included particularly his liabilities on account of R. B. Simpson & Co and a statement shewing also as well as he recollects all the assets of R. B. Simpson & Co to meet the responsibilities into which Col Randall had entered for them. His recollection is that it was R. B. Simpson & Co. Deponent recollects that there was a paper filed before the arbitrators apparently of the character or of a like purport of the paper "D. M. P. No 2" but he cannot say whether said paper D. M. P. No 2 is the same paper or whether the paper exhibited to the arbitrators was the same paper he had seen before.

2d To the second Inty he answers that there were several advances made by deponent in behalf of Mr Glenn to Col Randall during said Glenns absence to Canada in the summer of 1833 he thinks, and said advances were all made without exception after the statements referred to in his answer to the first question and upon the faith of those statements that is to say, all such advances as were made after the statements were made, were made on the faith of those statements. The said ad-