should be able to state the correctness of it.

3d Cross-Int. Are you able then to state positively, and of your own knowledge, that a single sale or purchase in that Exhibit mentioned, as having been made for Mehaffey and Sherman jointly, or for Sherman individually, was in fact made by the personal direction of Sherman himself?

Answer. I think they were universally made by the directions of A. M. Sherman. He might have received orders from A. J. Mehaffey also during this time for this account.

(The complainant's solicitor requests the commissioner to repeat the questions to the witness, which is done)

(The witness here asks to look at the Exhibit, and which is handed to him by the commissioner; and he examines it) and he then answers:

I do not recollect distinctly, any of those transactions; but remember that during that period, of the dates of that Exhibit, having purchased and sold the stock of the Cumberland Coal and Iron Company, for account, and by order of A. M. Sherman, and Mehaffey and Sherman, and that the orders thus received were, to the best of my recollection, mostly given by A. M. Sherman. I am not sure that any orders were received from Mr. Mehaffey.

(The question is again repeated to the witness, at request of defendants' solicitor) and he then answers:

From this exhibit, I can not recollect distinctly any one of those transactions.

4th Cross-Int. Did your firm within the period of time comprehended by the dates in that Exhibit, make the sales and purchases of that stock, for account of A. M. Sherman individually?

Answer. I believe they did; but would answer more positively after examination — the books of our late firm.

5th Cross-Int. Within that period of time, did your firm make more sales and purchases of that stock, on Shermans individual account, than they did on account of Mehaffey and Sherman jointly?

Answer. I can not now recollect, but believe that the largest number of purchases and sales were made for account of Mehaffey and Sherman.

6th Cross-Int. Which of your firm personally received orders for sales and purchases, made on account of Sherman, and on account of Sherman and Mehaffey?

Answer. I did mostly.

7th Int. Is there any sale or purchase of that stock mentioned in said Exhibit, which was made on account of Sherman individually

Answer. There is; and I believe it is set correctly so stated in that Exhibit.

8th Cross-Int. Take the said Exhibit into your possession, and point out any sale or purchase of that stock by your firm, made for Sherman's individual account?

The witness, after examining the said Exhibit, says:

Answer. I was mistaken in my answer immediately preceding; on further examining the Exhibit I do not find any sales or purchases on Sherman's individual account.

9th Cross-Int. Take the said Exhibit, and point out to the Commissioner such of the sales and purchases by your firm therein stated to have been made, for account of Mehaffey and Sherman jointly, which you are able to swear, from recollection, were made by the personal directions of Sherman, given in your presence; and if you so point out any sales or purchases, state wherein particular Sherman gave any such personal directions, and where was present when he gave the same?

Answer. I can not now recollect any one individual transaction therein mentioned, for their account; it is utterly impossible for me to distinguish them.

10th Cross-Int. Are you in any way interested in the stock of the Cumberland Coal and Iron Company?

Answer. Not in any manner.

11th Cross-Int. Are you not in some way interested therein by reason of being executor or having an interest in some estate?

Answer. No.

Again Examined for Complainant.

11th Int. Be good enough to look at the papers now filed and shown to you, marked respectively W. C. Schack Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9, and state in whose handwriting they are respectively as to body and signature, if you are able?

Answer. The body of the whole of them is in the handwriting of Wm. H. Scofield, my former partner. The signatures of Nos. 1 and 2 are in my signatures. The signatures of the other seven exhibits are in the handwriting of William H. Scofield.

12th Int. State whether these papers, or any of them, enable you to identify any of the transactions concerning which you have been interrogated on your cross-examination?

Answer. I can not distinctly recollect or individualize any one of those transactions.

13th Int. When were your signatures affixed to the two which are marked No. 1 and 2 of them respectively?

Answer. On the receipt of the balance due therein mentioned whenever that was.

Legrand Lockwood, a witness of lawful age, produced on behalf of the complainant, being by me first duly sworn on the Holy Evangelys of Almighty God being examined on the following interrogatories to him propounded in that behalf, makes oath, deposeth, and saith as follows, that is to say.

1st Int. State your age, residence, and occupation?

Answer. I am 21 years and upwards; I reside in the City of New York; and I am a stockbroker —