Ans. At a meeting of the creditors held about the eleventh or twelfth of March, at which Mr. Merchant was present, I was requested to act as trustee, and a committee of three, of which I was one, was appointed to arrange the details; we, the committee, with Mr. Merchant, waited on Mr. Busey, his attorney; by the advice of Mr. Busey, as Mr. Merchant's counsel, he agreed to execute to me as trustee, a deed of all his property, mixed, personal and real, of every description, if we, his creditors, would execute a full release of our debts in consideration of the assignment.

2 question. Please state if this deed of trust was subsequently executed, to whom, and whether a release for the creditors was prepared, signed and delivered to Mr. Merchant or his attorney?

Ans. The deed of trust was executed and delivered to me as trustee, on or about the seventeenth of March, 1884, and the release was signed by all the creditors and delivered to Mr. Busey as his attorney.

3. Question. Look at the paper now produced by Mr. Busey and shown you, and state whether it is the release to which you refer?

Ans. It is; I will file a copy with Examiner.

(The above mentioned copy filed with the Examiner and herewith returned, marked "Plaintiff's Exhibit Depositions No. 1.")

4 question. Please state what information you had, if any, in reference to the property owned by Mr. Merchant at the time of the agreement between the creditors and himself above referred to, resulting in the assignment and the release?

Ans. He had, we understood, two houses; I am not certain but what I might have known at the time

that one of them was in his wife's name; I knew it then, or subsequently I learned it; the other house I supposed belong to him.

(Answer objected to by Mr. Busey.)

5 question. Is the other house referred to by you, the one referred to in the bill?

Ans. It is; the one for which the deed was afterwards recorded to Aberg.

6 question: State, if you know, what was the supposition of creditors, in reference to the matter of which you have just spoken, and also state upon what information your understand was based?

(Objected to by Mr. Busey.)

Ans. The information that we had, was gotten through the mercantile agencies, either Dun or Bradstreet's, or both, they gave him credit of owning these two houses and property, in all amounting to between fifteen and twenty thousand dollars; and I was informed by several of the creditors that they gave him credit on the basis of the mercantile reports, supposing him to own this property; subsequently I, as trustee, have been unable to find any of the property excepting this house in dispute in the bill; I except the property in Demarara and certain property in Virginia, now claimed by his wife.

(Answer objected to by Mr. Busey.)

7 question. State when was the first time when you learned what is claimed to have been the disposition made of this house?

Ans. The first I knew of it was upon the publication of the daily transactions from the Record Office — I mean the deed from Merchant to Aberg.

8 question. The deed just referred to by you, "Complainants' Exhibit C. T., No. 1," from Merchant to Aberg, is dated