

200. What was the judgment?—The bankruptcy was annulled.

201. What was the reason for the bankruptcy being annulled?—It was annulled on the ground that Harper and Co. had taken the proceedings against me for the sole purpose of stopping my proceedings against them for the settlement of this matter. [Order put in and marked "Exhibit 36."]

202. After the annulment of your first bankruptcy was anything done by the Official Assignee?—Yes.

203. Was any one acting for the Official Assignee at this time?—Yes.

204. Who was he?—Henry Selwood Austin.

205. Was he acting at that time in any way for you?—I had withdrawn my retainer on the 4th February, 1885, but he persisted from that time up to the time that I was adjudicated a bankrupt, and after.

206. Who was he acting for?—For the Official Assignee from the time I was adjudicated.

207. Did the Official Assignee instruct him?—Yes.

208. Did he appear before the Supreme Court with the Official Assignee?—On nearly every instance he was before the Supreme Court for Official Assignee.

209. Do you know whether costs were incurred by the Official Assignee?—Costs were incurred by the Official Assignee.

210. To whom were they owing?—The only order that the Court made in reference to costs in bankruptcy was for Mr. Latter appearing on the 5th May, when the argument to annul was upheld; that amount had to be settled by Mr. Bloxham.

211. Who appeared for Mr. Latter that day?—Mr. Austin was present.

212. Did the Official Assignee incur costs to Mr. Austin in this case?—Mr. Austin made a claim on behalf of the Official Assignee for costs. His Honour Mr. Justice Johnston stated that the Official Assignee had no right to incur costs.

213. Did you say that the Official Assignee applied for costs, and that costs were granted to him?—I stated that when Mr. Latter applied for costs, the only costs His Honour would allow was for Mr. Latter appearing on the 5th May, 1885, when the argument before the Court to annul the adjudication upon the petition was heard.

214. Was any order made relative to your costs?—Yes.

215. What was that order?—That the petitioning creditors had to pay my costs as though the adjudication had never been made. [Order for payments of costs by petitioning creditors put in and marked as "Exhibit 37"; also draft order sealed on the 19th February, 1886, and marked as "Exhibit 38."]

216. Were you in Court at the time of this application for the Official Assignee's costs?—Yes.

217. Was your adjudication annulled on the 3rd June, 1885?—Yes.

218. After your adjudication of bankruptcy was annulled, did Mr. Latter still interfere with your estate?—Yes.

219. For what length of time?—I did not get rid of Mr. Latter from the 3rd June, 1885, until the 23rd September, 1885.

220. Was he taking active steps in regard to your estate?—Yes, from the 3rd June, 1885, to at any rate the 5th August, 1885.

221. In what way?—On the 11th May, 1885, a motion set down by Mr. Austin for the Official Assignee to vary the certificate of the Registrar and Accountant. [Motion-paper put in, and marked as "Exhibit 39."]

222. On the 11th May was this motion set down by the Official Assignee to vary the certificates?—Yes.

223. Prior to that, on the 28th of April, was there a notice sent by the Official Assignee to the Judge in Bankruptcy?—Yes, notifying the Judge that the matter of my bankruptcy was adjourned from the 16th April, and was now awaiting His Honour's decision. [Motion paper put in and marked as "Exhibit 40."]

224. On the 5th May did the application for annulment of bankruptcy come before the Court, and judgment reserved?—Yes.

225. On the 11th May, before the decision of the Judge on the annulment, motion was set down to vary certificate in action No. 353?—Yes, that is so.

226. Did that come before the Court after the annulment?—Yes.

227. Who appeared on those occasions?—Either Mr. Austin or the Official Assignee—sometimes one and sometimes the other.

228. When was this finally disposed of?—On 5th August, 1885.

229.—Did you set down a motion in June of that year to have the Official Assignee removed from record as plaintiff in actions?—Yes.

230. What became of that motion?—I was prevented from being heard from time to time by the Official Assignee. The motion removing the Official Assignee was set down on the 25th and came before the Court on 26th June, 1885.

231. Do you say on these occasions when this motion came on that you were opposed by the Official Assignee?—Distinctly, by Mr. Austin.

232. Were there several motions down for removal of Official Assignee from record, and apparently one in each action was withdrawn on 4th August?—They were withdrawn by a distinct and faithful promise made that there would not be any more oppositions to the reviewing or varying of the certificate in action No. 353.

233. Was the Official Assignee finally removed from the record?—By the order of the Court he was removed from the record on the 5th August, 1885, and then so late as the 23rd September, 1885, I was compelled to file a precipe and pay 13s. Court fees.

234. You say that you applied many times to Mr. Latter for information regarding your first