

ability and knowledge, after informing himself from books, records, and such means as were in his possession or under his control. As some of the questions which he should now answer were proper to have been answered even before amendment to the defence and counterclaim, his attendance to answer the questions indicated should be at his own expense. Owing to the somewhat unusual circumstances, the costs of the motion should be disposed of by the trial Judge. T. Mercer Morton, for the defendants. H. L. Barnes, for the plaintiffs and their officer.