

No. 2951. Equity.

lands purchased & paid for by the Complainant as trustee.

To the 9th. Interrogatory, The Complainant did demand request and desire this witness, John C. Mills to convey the lands last mentioned in the last interrogatory to him the Said Complainant to the trusts of the original deed of trust and did present to said witness a deed for said purpose to be executed by him I think the paper marked Exhibit B. is the same in substance as that presented to witness by Complainant, to be executed as a deed for said lands. I declined to execute said deed.

To the Interrogatory, The Said John C. Rachel & Mills did sell one half acre of said lands, to Sally Cooper, without the assent of the Complainant, and did receive the money, therefor, and they did not pay said monies over to the Said Complainant, nor discharge him therefor.

To the 11th. Interrogatory, They did assent and join with the Complainant in the sale of the balance of the said trust land described in Exhibit Marked Exhibit A, filed in this cause, to a certain Alceia Price Price, as set forth, in said Exhibit, now shown me, marked and filed in this cause, as Exhibit A. No. 2. The amount of purchase money received and to be received was \$11805⁰⁰ of which said sum the sum of \$4305⁰⁰ remains unpaid with interest from 10th day of May 1860, which said sum is secured by mortgage to the trustee. The interest on said sum heretofore accrued and paid, was paid on by the trustee, except a portion of it, which was paid to the trustee & which has not been paid to me amounting to ninety dollars.

The monies received were invested in the purchase of a tract of land of one hundred and one acre of land from James Price.

To the 12th. Interrogatory, Said monies received from Alceia Price, were invested in land purchased from James Price, at one hundred dollars per acre. No. deed has been made has been made for the same I do not know how much of the purchase money on said land remains unpaid.

To the 13th. Interrogatory, I settled with the trustee, the amount of Marble Sappington's for drawing the Marriage Settlement of deed of trust, and it is included in the amount of the receipts to the trustee marked D. P. M. I know nothing further, also at the same time, and place, James Price, a witness, of lawful age, produced on the part