

MERCER QUARTERLY COURT. O. A. BYINGTON, PLAINTIFF, VS. REPUBLICAN PUBLISHING COMPANY, DEFENDANT.

THE DEPOSITION OF O. A. BYINGTON TAKEN AS UNDER CROSS-EXAMINATION AS PROVIDED BY SECTION 606 OF THE KENTUCKY CODE OF PRACTICE, TO BE READ AS EVIDENCE ON BEHALF OF THE DEFENDANT IN THE ABOVE STYLED ACTION.

O. A. Byington, being produced and sworn and thereafter examined on the part of the defendant, deposed as follows:

Q. Please state your name, age, and occupation.

A. O. A. Byington; age, fifty-six; occupation, practicing law, banking.

Q. You are the President of the Citizens' Savings & Trust Company of this city, are you?

A. Yes, sir.

Q. How long have you held that position?

A. A little more than six years.

Q. For how many years have you been practicing law in Iowa City?

A. Well, except four years when I was on the bench, practically all the time for thirty years.

Q. Is the Boston Piano & Music Company, the payee in the notes sued on in this case, a corporation?

A. It is.

Q. How long has it been such?

A. Oh, three, four, or five years -- possibly five years.

Q. Were you familiar with the Boston Piano & Music Company prior to its incorporation?

A. Why I knew that it was being run by Mr. W. F. Main and I knew that it was not a corporation, and I was familiar in a general way with the character of its business.

Q. Had you been doing any legal business for the company prior to its incorporation?

A. Well I'm not absolutely certain. I think not, although I might be mistaken about that. Mr. Main might have consulted me about some matters before that, I am not sure, both of his own and the company; probably did.