

*Answer to the foregoing cross Interrogatory.* I should think no accurate estimate could be made without.

*Witness re-examined, by the defendants, by their counsel.*

*Interrogatory.* (To this interrogatory the complainants, by their counsel, objected.) Are there any difficult passes on the river for a canal, in which the ground did not present any probability of being able to avoid them by going into the interior?

*Answer to the foregoing Interrogatory.* There are many places of that kind. I have already enumerated the only places in which I thought the valley of the river could be left. These places are platted on the profiles.

In verification of the foregoing answers to the interrogatories and cross interrogatories put to me, I have hereto subscribed my name.

JOHN J. ABERT.

*Interrogatories put to Alfred Cruger, a witness produced by the defendants, on behalf of said defendants.*

*First Interrogatory.* Are you one of the engineers appointed by the President and Directors of the Chesapeake and Ohio Canal Company? What is the nature of the duties of your appointment, and how long have you acted as such?

*Answer to the foregoing interrogatory.* I am one of the engineers appointed by the President and Directors of the Chesapeake and Ohio Canal Company. The nature of my duties has been various. I am now engaged in superintending the construction of twenty-two miles of the canal, i. e. near Seneca to the Point of Rocks; and have been in their service two years.

*Second Interrogatory.* Look at the maps, Nos. 1, 2, 3, and profiles now shown you, (here is exhibited to the witness the documents referred to in defendants' answer, and designated in the schedule No. 35) and say whether those surveys, &c. were executed by you, and when, as such engineer? What points, and what distance of the route of the canal do those surveys and profiles embrace? Were they executed by you in obedience to instructions from the President and Directors, or their principal engineer, and for what purpose was the part of the route that is embraced in those surveys and profiles, prepared to be put under contract for practical execution, on the completion of those surveys and profiles?

*Answer to the foregoing interrogatory.* These maps, Nos. 1, 2, and 3, and profiles now shown me, are correct copies of the original maps of the survey and location executed by me in the winter of 1828 and 1829, as an engineer in the service of the Chesapeake and Ohio Canal Company. And the points embraced by this survey lie between the Point of Rocks, at the Catoctin Mountain, and the Conococheague, at Williamsport, a distance of fifty-one miles. They were executed by me in obedience to an order from the President and Directors, and in conformity with instructions from the engineer in chief. The object of this survey and location was to prepare for the constructions of the work the ensuing spring, when it was contemplated to have a letting at Harper's Ferry, and place the whole under contract.

*Third Interrogatory.* (To this interrogatory the complainants, by their counsel, objected.) Have you had any opportunities of informing yourself, as an engineer, of the facilities and difficulties attending the construction of the Chesapeake and Ohio Canal, on the route from the Point of Rocks to Cumberland, on the left bank of the river? Explain what opportunities you have had of observing that route, and becoming acquainted with its localities, and then refer to the fifth interrogatory to Nathan S. Roberts, and answer it circumstantially?

*Answer to the foregoing interrogatory.* The only opportunities that have offered themselves to form an opinion of the facilities and difficulties attending the construction of the Chesapeake and Ohio Canal, from the Point of Rocks to Cumberland, occurred in the examination spoken of in the 2d answer, and that opinion is consequently limited to the portion between the