

from the books and papers in his possession. In truth the statement was prepared from those books, &c. and under his supervision and direction. That at the time it did appear to me to be a paper which should have borne more properly his name, though usage was to the contrary; as that officer, from the duty and nature of his office, is alone competent to exhibit the debts and credits of the company.

The explanation in relation to the item of \$37,333 33 is this. By a statement in the hands of the treasurer from the commissioner of loans, £8,500 sterling 5 per cents is said to be retained to meet \$37,333 33 6 per cents.

There is an error in carrying out the equivalent of that £8,500 or \$37,777 77, into the column of assets, and instead of being so carried out, the balance against the company should have increased by that amount. The error of course is apparent upon the paper itself.

I have no recollection of ever having seen the statement of of June 1, 1840, referred to—nor had I any knowledge of the sale of bonds by the trustees, nor the prices at which sold—but had I been informed in that particular, or have seen the statement, I should not have deemed it proper in me to have given any other value to those remaining than the *par or nominal value*. Any other would have been conjectural and mere matter of opinion, which I would suppose more proper to be left to the Legislature. And as the bonds were in the hands of the company or its agents for sale, I should question the policy of its officers depreciating them.

That the amount of bonds in the hands of the trustees was computed in this way—In the transfer to those trustees in addition to £62,000, it was agreed that whatever balance remained to be issued to the company, after a certain disposition of them by the company, should be transferred to them. And from information derived from certain statements from the commissioner of loans, in the hands of the treasurer, that aggregate was found to be £90,625 as stated. That computation was confirmed by the statement received from Messrs. Swan & Gittings, two of the trustees, subsequently received and appended to the report to the Legislature, (marked D 5.)

Since then, however, by recurring to the Acts of Assembly authorising the issue, it is found, that the commissioner of loans erred, as instead of £28,750, as assumed by him, the issue to the canal company, to reimburse \$120,000 advanced