

material, and for faithful and skillful mechanical labor." Smoot says in his testimony, that the Company is indebted on bills payable, in a sum exceeding \$75,000, whilst there are numerous other claimants not so secured. In addition, bonds of the Company to the amount of \$2,200,000, have been issued, and a large amount have been floated. All work ceased upon the road after the last payment to the Company by the State of Maryland, and has not been resumed. The Company is now in the hands of Receivers, appointed by the Circuit Court of Prince George's county.

The undersigned would further state, that Smoot testified that he had paid to secure this subscription and the money realized from it, but declined to state the amounts so paid or to whom paid. He also stated, that these payments had not been made to any State or county official. As the Committee did not insist upon his answering these questions, but adjourned, and failed to procure the presence of Messrs. Davis and Woolford, who made the payments, and Messrs. Sloan, Baldwin, and the member of the firm of Alexander Brown & Sons who received the money, the undersigned can only say, that in their opinion, the Committee has failed to carry out the instructions of your Honorable Bodies, as set forth in the third clause of said resolutions. The undersigned would recommend the subject to the attention of the next General Assembly of the State.

The undersigned would respectfully add, that in relation to the first cause of the resolutions, under which the Committee acted, they report: That the subscription of the Treasurer of this State to the capital stock of the Southern Maryland Railroad Company, was induced to be made by the false and fraudulent representations contained in an affidavit of Samuel S. Smoot, dated October 19th, 1872.

Second. That of the sum of \$163,000, one-half thereof was induced to be paid by the Treasurer of the State, by the false and fraudulent statements of Samuel S. Smoot, Hamilton G. Fant and Charles H. Winder, contained in a certain affidavit made by them, February 6, 1873. That the additional sum of \$81,500 was paid to the assignees of said Company by the Treasurer of the State, on the warrant of the Comptroller, without any evidence whatever, and that the whole of said sum of \$163,000 was paid to the assignees of said Company, on the warrants of the Comptroller, without the proof required by the Acts of 1868, chapter 454 and 150.

Third. That by the adjournment of the Committee, as hereinbefore set forth, they have been unable to ascertain the disposition made by the Company, or its officers, of the said sum of \$163,000.