

And your committee further state to the house, that in the prosecution of their inquiry, several persons have been examined as witnesses, under oath, either personally or by interrogatories, whose depositions, marked from letter A to letter H, inclusive, are also herewith exhibited, to wit :

William Tuck's Deposition,	marked	(A.)
Washington Tuck's do.	marked	(B.)
Deposition of John Muir, Esq.	marked	(C.)
Do. of James Boyle, Esq.	marked	(D.)
Do. of Thos. H. Bowie, Esq.	marked	(E.)
Do. of James Shaw, Esq.	marked	(F.)
Do. of Joseph M'Geney, Esq.	marked	(G.)
Do. of Henry Harwood, Esq.	marked	(H.)

All which documents, papers and depositions, as being the result of their inquiry, and as constituting the essential part of their report, the committee conceive it their duty respectfully to submit to the consideration of the house of delegates.

By order,

S. LOWDERMILK, clk.

(A.)

WILLIAM TUCK, being duly sworn, deposes and saith, that he was employed to do the work in the house of delegates room, under the order of the council dated 25th March, 1807, of which the following is a copy.

*In Council, Annapolis, March 25th, 1807.*

ORDERED, That Mr. William Tuck be employed to make such repairs to the house of delegates room as shall hereafter be directed by the executive.

By order,

NINIAN PINKNEY, Clerk of the Council.

That he, and his brother Washington Tuck, were not at the time of the order in partnership, but that they contracted their partnership back to about the first of January preceding, in consequence of other work done by them before this undertaking; that soon after he began to work in the room, (which was sometime about the month of August, 1807,) in conversation with one of the council, Mr. Duvall or Doctor Ghiselin, he stated that he would have no objection, in case of dispute, to leave it to arbitration to value the work after it should be finished; that he never had said, nor did he know before the work was completed, what his account would be, and that the work was not entirely completed until after the November session of 1807 had commenced; that the first account he rendered was about the time it bears date, which is the 5th December, 1807, and that he gave it to the governor in the council chamber, while some of the council, he thinks Mr. Hall and Mr. Nabb, were present; that the governor desired him to make out a more particular account; that he had not himself thought it necessary, and that it was difficult to do it from the nature of the work; that he handed in a particular account a few days after, which was not paid, but the council soon afterwards sent for him, and wished him to leave the matter to arbitration; that he refused to do so, because the council refused to be bound by an arbitration themselves; that he told them he would appoint William Camp, and they might appoint Walter Crook, and both parties be bound by their award; that the council considered they would not bind themselves as public officers to an arbitration, but that one of the council, Mr. Hall, said he presumed the council would pay what the arbitrators might think right; that the sort of work done in the house of delegates room are always about 20 per cent. higher in Annapolis than in Baltimore; that he wrote to the council, much out of temper, sometime before the draught of the 23d of June, 1808, to know the reason why he was not paid; that he received no answer to his letter, but that without any further application on his part, Mr. Duvall, and also Mr. Pinkney, the clerk of the council, afterwards told him that the order or draught last mentioned, for the sum of Dolls. 758, was ready for him, but he refused to receive it; that Mr. Pinkney finally enclosed to him that order, and the last order of the 17th August for Dolls. 530 at the same time; that he attended and helped to measure the work at Mr. Crook's request, while he was valuing it, and he attended part of the time while Mr. Camp was valuing it; that none of the council were present at either time; that Doct. Ghiselin and Mr. Duvall advised him to accept the third order for Dolls. 758, and not to consider it as a settlement in full, but that whatever, a ter further investigation, might be eventually due, it should be paid; that they never mentioned any thing to him of a joint letter to the clerk of the council, from Crook and Camp, of the 29th June, 1808, on the subject of the valuation, nor did he ever, before the present time, hear of such a letter; that Mr. Duvall told him as a reason why the executive had at last allowed the whole of his claim, that they had themselves made some valuation which nearly brought it up to the amount of the account, by adding items, such as screen, lumber, &c. and the expense of chairs, not included in Crook's valuation, and by making other allowances for alteration in the work, &c. that he told the council at first that the charge of Dolls. 850 in his account for raising the floor he knew was too high, but it was a lumping charge, to indemnify himself in the whole amount of his expenses; that his receiving the last order for Dolls. 530, after what had passed, was unexpected to him; that the council had refused to pay more than the Dolls. 758, and he had determined not to take less than the whole of his claim; that the prices charged the public are the same that he would have charged individuals for the same work, and that he could have made more clear money with the same hands; that the manner in which Mr. Camp came to be concerned in valuing the work was, that Mr. Crook suggested a wish to that effect, and that he, this deponent, did not himself send