

*Question.* Did you ever make a claim against the State for damages resulting from fire?

*Answer.* No. I did not. At the fire of 1857 the Directors gave me the labor of a considerable number of men, free of charge, until my shops were re-built.

*Question.* Was the same routine in regard to the enforcement of the rules and regulations on Sundays carried out then as now?

*Answer.* I do not know, not being present on Sundays.

*Question.* Has not a disposition been manifested always by the Board of Directors and officers to give your property every protection and security against loss by fire?

*Answer.* As far as I know, it has.

*Cross-examined by A. D. Evans, Warden.—Question.* Do you remember of there ever being a watchman in the yard on Sundays previous to the fire of Mr. Duvall's shop?

*Answer.* I had supposed so until I ascertained much to my surprise about three years ago, that the watchman did not go on duty until Sunday night. I refer to the watchman of the Institution. I do not know whether I ascertained this fact prior to, or since the present administration.

*Cross-examined by Mr. Jarrett.—Question.* Have you not considered that Mr. Duvall kept his fires at too great a degree of heat in the dry houses, and thereby endangered the premises?

*Answer.* I considered that at times he did keep the fires hotter than I deemed prudent to keep mine, but I had no knowledge of the degree of heat, except from what I heard from others.

*By Mr. Evans.—Question.* What degree of heat do you deem proper and safe?

*Answer.* I think it dangerous to go above 125 degrees; the material used by me, however, being lighter than that used by Mr. Duvall.

The testimony for complainant here closed for the present.

*Mr. A. D. Evans, Warden of Penitentiary, sworn for Directors.*

*Examined by Mr. Jarrett.—Question.* Has the same protection been given to Mr. Duvall's property as has been given to Mr. Murdock's and the property of the State?

*Answer.* Yes, sir, fully as much, no complaint of want of protection has ever been made to me by either Mr. Duvall or Mr. Murdock.

*Question.* Has any extra advantages or favors been extended to Mr. Duvall in the prosecution of his business?

*Answer.* In the selection of good workmen, in the increase of the hours of labor, when other contractors did not desire