

irregular, for we were fighting this grand battle of Baltimore interest. But, Mr. Chairman, all this evidence does not touch the policy of the Company, and since the agreement was confirmed about the first of June, not a single case of discrimination has existed according to the gentleman's own statement.

Mr. Tyson—I would merely suggest that these conflicts may occur again. They certainly are very disastrous to our trade.

Mr. Garrett—Is the witness prepared to answer my last question?

Mr. Tyson—I did not answer it, but I am prepared to answer it.

The Chairman—Will you answer it now?

Mr. Tyson—It is whether there has anything come to my knowledge regarding discrimination since they made the arrangement in June.

Mr. Garrett—Has he any cases since June, of what he alleges to be discrimination against the citizens of Baltimore?

The Chairman—Do you identify discrimination in that tariff? (alluding to the Winter tariff of the Company.)

Mr. Tyson—By that tariff they charge 50 cents on fourth class goods to Wheeling.

Mr. Dennis—This is a charge of discrimination, and the evidence the Committee want is the fact, not the rate of charge on the tariff, but the actual charge levied upon goods which has come to your knowledge.

Mr. Tyson—I merely produce their own evidence to show that they are prepared to discriminate.

Mr. Dennis—An intent alone never constitutes a crime.

The Chairman—Is there anything in that tariff that shows discrimination upon the face of it?

Mr. Tyson—I wish to call your attention to the rates from New York. Perhaps the deduction on either side has been equal—the ratio has been the same. In a handbill published by the Company in New York, dated on the 17th November, they stated that they are prepared to carry freight from New York to Wheeling at 40 cents, which they carry to Cincinnati for 44 cents.

Mr. Dennis—Will you tell the Committee whether they have transported freight at these rates?

Mr. Tyson—I do not know.

Mr. Garrett—On the contrary, the New York rates have been retained, and the Baltimore rates have been reduced.

*John R. Gould* called and sworn :

Question—Are you connected with Cromwell's line?

Answer—I am manifest clerk.

Question—Do you see the manifest of goods from East to West?

Answer—I see abstracts from the different points.