

Answer. Not named in the bill.

Question. Is not Wm. F. Murdoch, your partner, named in a bill before the Legislature?

Answer. No, sir; if it is not one word of conversation has passed between himself and me about that matter.

Question. He is your partner in the insurance business?

Answer. Yes, sir.

*Thomas H. Gardiner* said: I regret having used the language I did just now. Mr. Montague said that I had stated to him that I had received a list of the names of members of the Council with the respective prices set opposite their names. Now I have no recollection of any such conversation. I never conversed with him but once that I am aware of, and that was at Barnum's Hotel. It seemed to be his evident desire to elicit from me, during that conversation, something to bear upon these gentlemen. He asked me a number of questions about these gentlemen, as to their respective pay, &c., and, to the best of my knowledge and belief, I answered them all negatively.

*J. Irwin Smith* called and sworn.

By Mr. *Blakistone*. Question. Have you any knowledge of any admissions or statements made by any member of the City Council, or of the grantees, about this matter?

Answer. I do not remember any by any members of the City Council. But I had a conversation with Mr. Travers, one of the grantees, after the bill in favor of Travers & Co. had been reported and before its passage. In that conversation I congratulated Mr. Travers upon the success of his bill. He stated that he was very glad to hear it, but, at the same time, sorry that they should pass it over a clever fellow like myself. In the course of the conversation he remarked to me that he had no personal interest in the bill, except the consideration for the use of his name, which consideration I afterwards understood was for being counsel. I afterwards saw Mr. Cathcart, one of the grantees.

By Mr. *Alexander*. Question. Before or after the assignment?

Answer. I think it was after.

By the *Chairman*. Question. Are you positive of that?

Answer. I think it was; I am almost certain; in fact, I may say I know it.

Mr. *Gordon*. As we intend to call Mr. Cathcart, the witness may go on.

*The Witness*. In the course of the conversation he stated to me that his name was used with his knowledge of its being used at the time it was first inserted into the bill. That is all that I know of my own knowledge.

By the *Chairman*. Question. Have you ever had a conversation with Mr. Thomas H. Gardiner, in reference to the obtaining this charter for a city passenger railway?

Answer. I have had, I think, more than one.

Question. In any conversation with him, did he or not ever say to you that it was necessary for political purposes to get this ordinance for Brock & Co., as it would elevate Henry Winter Davis to the Speakership of the House of Representatives, by getting an influence with the Black Republican party of Pennsylvania?

Answer. Not in those words.

Question. In what words?

Answer. As nearly as I can recollect it was after the last October election. I have been connected a long time with the American party, and am now an American in principle but not connected with the order, having resigned. I wrote a resignation to the council of which I was a member, and happening to meet Mr. Gardiner, showed it to him. He asked me not to present it, and advised me not to do so. In the course of the conversation the railroad matter came up. I remarked to him that I thought Brock & Co. were Black Republicans, that I had heard that in the rooms of one of the assignors in Philadelphia some pictures were hung around the room that showed—