

Duval sent Stansbury and myself to the engineer's office for the regular estimates then due, which was refused to us by M. Collohan, he saying that it was not ready, Major Emory adding that it would be prepared in a few days. About a week or ten days after, I called alone, when I received a statement of a certain number in total of yards of embankment and excavation, but no estimate in proper form, being deficient in the usual items, which were absolutely essential for Duval's government and for which the estimate under contract was alone useful. I did not call afterwards for an estimate as I considered it useless to make a demand which the engineers seemed indisposed to give me as the agent of Duval.

Copy of Jacob Stansbury's Testimony.

Jacob Stansbury sworn and testifies:

I was clerk to M. Duval, and acted in the capacity of general agent. I was engaged on the Eastern Shore Rail Road from 16th January to 22d of June, 1839. I kept the books of Duval and his sub-contractors. My station was on the northern division of the road. The accounts now presented, and made up by me are, No. 1, an account taken from the books from entries before my engagement; No. 2 contains items of charges for losses sustained by Duval at several dates; No. 3 is taken from the books from entries made by me; No. 4 is made up of items of charges which I testify to be correct; of No. 6 I can only testify to the last item; No. 7 I also testify to as made from the books. The account No. 2 includes the loss sustained by Duval for stoppage from 9th February to 22d June, 1839. This stoppage occurred from the company not paying the monthly estimates, except that part of the account which is stated to have been made by the engineer. This order from the engineer in relation to the hauling of stone, was delivered to me by said engineer on the 9th February. M. Duval sent me as his clerk to obtain these monthly estimates, which at the time, I never could so obtain from the company. I do not now recollect the date, but at one time the company did give an estimate, which was not placed in my possession, but which I have seen. So far as my knowledge extends, Duval stopped work because the company failed to make payments as per contract. From my position as clerk, if payments had been made, I think I would have known the fact.

Account No. 1.		
E. Shore Rail Road Co.		
1838. Oct. 29	To M. Duval, Dr. For Wagon and Harness sold company for Engineers,	\$100 00