

Major George Bender was sworn and the following interrogatories propounded.

By Mr. Blocher. Were you authorised by the board of directors to employ counsel, and at whose suggestion was Messrs. Price, Merrick, and Pigman employed?

2d by Mr. Blocher. Do you know of the employment of any other counsel by the company.

Answer to the 1st Interrogatory. The general regulations of the company for the government of the commissioner authorised me to employ counsel. I employed Mr. Wm. Price, because I understood he had been previously employed by the company, and engaged Mr. Merrick as assistant counsel, understanding that it would be agreeable to the company for me to do so. I was not directed to employ him, but simply given to understand in conversation with Mr. Washington or Mr. Ingle, and perhaps some others, that he was the best I could employ.

I employed Mr. Pigman upon the same sort of suggestions.

Answer to the 2d Interrogatory. I do not know of the employment of any other counsel.

By Mr. Pitts. Will you state the nature of the service done by Mr. Merrick, as counsel for the company? And whether he had not been employed by owners of land, against the company? And whether in some cases he had not succeeded in obtaining very large verdicts against the company?

Answer to the foregoing interrogatory. I know nothing of Mr. Merrick's having been employed against the company, except by hearsay, and accompanied by the assertion that he could obtain higher damages against them than any body else; this was a great motive with me in embracing the suggestions to employ him for the company. The services which he performed under the employment by me, was investigating the titles to ascertain who were the real owners of the lands we wanted, negotiating in conjunction with myself and Mr. Price for the preparing the deeds, and also process for condemnation, and arguing before the juries.

Question by Mr. Causin. At what time was Mr. Merrick first employed by you to aid the company in condemnation of lands?

Answer to the same. I first employed him either in the latter part of May, or beginning of June, 1835. I cannot state precisely which.

John P. Ingle, Esq., offered the following answers to the second interrogatory propounded to him by the committee at its last meeting:

In my answer to the first interrogatory, contained in the order of the House, I stated that only 430,000 dollars of State bonds had been hypothecated in this country on the first day of January last. On that day \$110,000 of the bonds were lying in the Bank of America for safe keeping, to which bank they had previously been pledged for a loan. On these same bonds that bank made a