

that I should have been employed in almost every case against you, and at fees rarely less than double what I have charged the company. I am persuaded, that but for fees charged, in some cases compromised, and which might not under any circumstances have been brought to trial, I should be a loser after receiving the whole amount of my account. I was at last induced to engage as counsel for the company, by my inability to return an ungracious answer to an expression of kindness and confidence, by the liberal view taken by your president, of cases in which delicacy might prevent my appearing at all, and by the extension of the engagement to Alleganey county. After serving you for several months, I took the liberty to draw upon you for \$500, presuming that with the statements of progress laid before you by your commissioner, it could not fail to be perceived that my draft was for but a small part of what I had earned; this draft was not protested; but I did not escape without a rap on the knuckles, for not having previously forwarded an account. Admonished by this, Mr. Price and myself some weeks ago, made up our accounts and sent them on simultaneously, requesting that arrangements should be made for their discharge. To those letters, receiving no sort of answer, we drew upon you on the 21st inst., and those drafts are protested, and we have paid the costs. I regret that when I entered upon this course of service, specific terms were not agreed upon, so that subsequent misunderstandings might if possible have been prevented and our feelings spared; but such an arrangement was expressly declined on the part of the company, and the price of our labor and services left at our discretion. We do not often under such, or indeed, any circumstances, find liberal men of other professions questioning our right to what we consider it proper to demand. Since we sent in our accounts, we have transacted further important business, of which, while the settlement of the former is suspended, it is needless to hand in a particular statement. I have only to add, that in relation to the affairs of last winter, I hope the gentlemen of the board will inform themselves by reference to James W. McCulloh, Esq., trusting that then they will do what may seem becoming, and that in relation to my dishonored draft and unnoticed account, I may be informed of their intentions. I am respectfully, &c. &c.

JOSEPH J. MERRICK.

*To the President and Directors of the C. & O. C. C.*

*Note by Mr. Washington.*—The drafts referred to in this letter as having been protested, were presented to the clerk between the regular weekly meetings of the board, and as no authority had been given by the board for such drafts, the clerk felt bound to decline their acceptance.

G. C. W.

[See appendix No. 6.]