

(*Copy of Letter of Joseph I. Merrick.*)

HAGERSTOWN, June 8, 1839.

Sir,—In the winter of 1835-'6, I was employed by J. W. McCulloh, Esquire, acting in behalf of the Baltimore and Ohio Rail Road Company, to solicit from the Legislature of Maryland a subscription to the capital stock of that company to the amount of three millions of dollars.

The compensation offered and agreed to, was ten thousand dollars; altogether contingent or dependent upon the fact of such a subscription being made.

The law desired was passed in May 1836, containing many other provisions very valuable to your company, which promptly by its public corporate act, accepted it. In the autumn of that year your company demanded at the hands of the Treasurer, the act of subscription, which in obedience to the law he accordingly performed.

On that day my right to the stipulated reward was perfect, and every day's delay since has been in prejudice of that right, productive of much injury to me, and as I think wholly indefensible.

I cannot blame you, sir, for you knew not of it, nor do I wish to censure any one; but simply and plainly to state my right, and ask that it now at least be conceded to me, with interest during the term of delay.

If any part of my statement be new to the present Board of Directors, I ask leave to refer to J. W. McCulloh, Esquire, who will verify all the facts, and with whom I have left a paper made and delivered by him to me at the time, as a memorandum of the contract.

I ask leave further to refer to Philip C. Thomas, Esquire, (at that time President of the Company and Chairman of the Committee which contracted first with Mr. McCulloh,) who knew of my employment and of the terms on which I was engaged.

My efforts were laborious, various and long continued. My expenses onerous—my sacrifices heavy. I trust I am not to be doomed to much longer delay. I have waited patiently, expecting of the justice and liberality of the company my promised and hard earned remuneration. I am sorry now to find it necessary to claim it.

With the highest respect,

I am your obedient servant,

(Signed)

JOSEPH I. MERRICK.

To the Hon. LOUIS McLANE,

*President of the Balt. & Ohio Rail Road Co.*