

the Treasurer. At the time this money was paid, counted and drawn out, J. T. Guthrie had no official connection with the bank. This sum in specie was placed, at the time of its payment, to the credit of the stock of Messrs. Jones and Guyer.

The checks of Messrs. Jones and Guyer for the same amount that had been placed to their credit on their stock, was duly loaned and paid by the cashier, although the said Jones and Guyer had no money in the bank on deposit. He thinks that the whole amount of specie in the bank at that time, including the same paid in by Jones and Gueyer, was about nine thousand dollars. When Messrs. Jones and Guyer paid in the specie, they also paid a considerable amount of foreign bank notes, amounting perhaps to as much as the specie; this foreign paper was also checked for them and paid out by the cashier at the same time the specie was paid out.

Andrew Kershner being again called, says:—That his official connection with the bank ceased about the last of May last; in August or September, 1841, some certificates of deposit were marked *good* by Mr. Guthrie, the then cashier of the Farmers and Millers Bank of Hagerstown, amounting to about seven thousand dollars, and the persons to whom these certificates had been so marked, were credited upon the books of the bank by the said Guthrie, as cashier, notwithstanding he had previously resigned. The bank looked upon the transaction as *fraudulent*, and would not consent to pay said certificates; subsequently the grand jury of Washington county presented said Guthrie for embezzling the funds of the bank; this presentment took place at November term, 1841; at March term, 1842, the grand jury found a true bill against Mr. Guthrie for said embezzlement. Mr. Guthrie was at this time a director in the bank; after this fraudulent transaction, Mr. Guthrie was expelled from the board sometime between the months of September and November, 1841; sometime in the spring of 1842 that resolution was *rescinded*, and Mr. Guthrie was again permitted to take his seat at the board; some time previous to the election of directors in May, 1842, Mr. Guthrie and his friends secured a number of shares of stock, by which means they were enabled to turn out the old board, and re-elected Mr. Guthrie and such other gentlemen as were acceptable to him. After Mr. Guthrie's resignation he left Hagerstown on a visit to the East; after remaining there a few weeks, he returned and entered the bank and made the entries in the books above alluded to. As soon as he (Mr. Kershner) received information of the entry in the books, the board of directors were called together, and protested against the validity of Mr. Guthrie's act in this particular. It was distinctly understood at the time Mr. Guthrie left Hagerstown for the East, that he would return in a few days, but his stay was extended to some weeks.

GEORGE FECHTIG appeared before the committee, was sworn and deposed as follows:—He was a director in the Farmers and Millers Bank of Hagerstown in the years 1841 and part of 1842;