as I have stated; I do not remember in whose handwriting it was.

Eightieth Interrogatory — Do you recollect whether the by-laws submitted to the Board of Directors by Sherman, and not adopted, were in his handwriting?

Answer. I think they were.

Eighty-first Interrogatory. Look at the paper now shown you, marked "Defendants' Ex. A. M. S. No. 3." and state whether that is in the handwriting of Sherman, and whether to the best of your recollection, it is the code of by-laws by him submitted to the Board of Directors, and by them not received?

Answer. It is in the handwriting of A. M. Sherman, and it is the code of by-laws submitted by him to the Board of Directors, at the same time Mr. Thompson's was.

Eighty-second Interrogatory. Look at the account now shown you and marked "Defendants' Ex. A. M. S. No 4" and state in whose handwriting the same is, and whether you were the complainants Secretary when the same was made out, and whether it was delivered to the defendant Sherman and about when?

Answer. It is in my handwriting, and I was, at the time it was made out, the complainants Secretary; and it was delivered to Sherman about Jan. 1st 1858

Eighty-third Interrogatory — Was that account made out from entries in the complainant's books?

Answer. It was.

Eighty-fourth Interrogatory — Were such entries and accounts correct?

Answer. They were.

Eighty-fifth Interrogatory. — Were there any other transactions between the defendant, Sherman, and the complainant, to your knowledge, except those mentioned in that account, and those comprehended in what is called the "A. M. Sherman loan account." and the purchase of the lands by Sherman & Dean.

Answer. I think there were none.

Eighty-sixth Interrogatory. — Had Sherman any connection with, or did he give any instruction, or make any suggestions, concerning the Mehaffey loan account, as the same appears upon the books of the complainant?

Answer. None to me, or in my presence

Eighty-seventh Interrogatory. Did he ever, to your knowledge, suggest the payment or loan, by the Company, of any money whatever, to Mehaffy, during the time Mehaffey was President of the Company?

Answer. He never did.

Eighty-eighth Interrogatory. — Did he ever, to your knowledge, suggest that any additional compensation should be made to Mehaffey for his services as President or otherwise

Answer. No.

Eighty-ninth Interrogatory. During the time that Sherman was a director of that Company, what were your personal relations and intercourse with him?

Answer. Perfectly friendly.

Ninetieth Interrogatory. Was he, or not, in the habit, after he commenced taking an active part in the affairs of the Company, of talking freely with you about them?

Answer. He was always in the habit of doing

Ninety-first Interrogatory — Have you now or have you ever had any interest with Sherman and Dean, in any transaction, property, or business, for your joint benefit or otherwise?

Answer. Never; not to the extent of one cent.

Ninety-second Interrogatory. — Have you ever, to your knowledge, been connected with, or employed by, any relative or personal friend of either Sherman or Dean

Answer. Never.

Ninety-third Interrogatory. — What is your present employment, and what, if any, interest have you in charge, and for whom, and to what extent?

Answer. I represent the house of A. Sturtevant & Co. of this City, who are engaged in the coal business, and have a branch in Boston and Philadelphia, and are doing a business of say from 500,000 to 600,000 tons of coal per year. I have been in their employ for a little over a year, as fully representing their house in this city.

Ninety-fourth Interrogatory. — About what are your sales per annum in this city?

Answer. Over 100,000 tons.

Ninety-fifth Interrogatory — Do you recollect whether any, and if any, what efforts were made by the complainants to sell that portion of their coal lands and property, finally purchased by Sherman and Dean?

Answer. Efforts were made repeatedly to sell the surplus lands of the Company, embracing the tract sold to Sherman and Dean, and the whole matter was submitted to large and influential stockholders of the Company without success.

Ninety-sixth Interrogatory. Do you recollect whether Sherman first proposed the purchase of those lands, or whether such proposal first came to him from officers or directors of the Company?

Answer. The suggestion first came from the Company, and he was strongly urged by the most influential stockholders of the Company to purchase the land of the Company. Among those stockholders, I distinctly recollect, Mr. Grosvenor, of New York, Mr. Watkinson, of Hartfor, Conn. and Mr. Vassar, of Poughkeepsie. At that time, these were among the largest stockholders of the Company.

Ninety-seventh Interrogatory. — Do you recollect whether anything was said to him on this subject by members of the Board of Directors, and if yea, what in substance?

Answer. It was the subject of frequent conversation at the Board, and by the President and Board urged on him, Sherman.

Ninety-eighth Interrogatory. Were these requests and solicitations from stockholders and directors before or after unavailing efforts had been made to sell this property?

Answer. Before

(The interrogatory being repeated to the witness by the Commissioner at the request of defendant's Counsel, he says as follows)

After efforts had been made to sell, and failed, then it was that the stockholders mentioned urged the purchase of the property by Sherman and Dean, as letters to the President of the Company, and which were in file, will show. When I said, in answer to this question, that it was "before" I did not understand the question

Ninety-ninth Interrogatory. Do you recollect whether the said Watkinson a stockholder, and others connected with the Company, had visited its mines in Maryland before advising or urging the sale of a portion of its mining lands?

Answer. I do remember that Watkinson and others, stockholders of the Company, namely; Vassar, Grosvenor, Crosby, Bartholomew, and many others, influential stockholders, whose names I do not now re-