or by any other person, which led Mr. Sherman to make this offer?
Answer. Not that I remember now.
318th Cross-Int. What reply on the spot was made to this offer, and by whom was that reply made?
Answer. No reply was made if I remember right.
319th Cross-Int. Did any Director or person of the Board make any observation in respect to the offer at that time?
Answer. I think not.
320th Cross-Int. Did the offer of Mr. Sherman appear to attract anybodys attention, and if so whose attention did it seem to attract?
Answer. They must have all heard it but nothing was said.
321st Cross-Int. Did Mr. Sherman state how much he claimed should be paid back to him, as a condition of restoring the property?
Answer. I understood it to be that he wanted to be made whole.
322nd Cross-Int. Did he state how much it would take to make him whole?
Answer. He did not. I inferred the cost to him with interest.
323d Cross-Int. Will you be good enough to look at the minutes of April 18th 1858 and state whether occurrence might not have happened at that date, and if not why?
Answer. I have already stated or intended so to state, that I think it occurred at one of the meetings of the Board held April 9th, 13th, 14th or 15th 1858; it may have happened on April 18th - I can not say at which.
324th Cross-Int. Look at the meeting of the Board of April 26th and state what reason you have for supposing that it may not have occurred on that day, as well as on either of the days you have mentioned?
Answer. It may possibly have been so.
325th Cross-Int. Refer to the Report of the President of the Company of June 3d 1856, in answer to interrogatory 139, which I will read, together with your reply. Do you mean that it was published in that report, to whom the sale was made, or that any Director was concerned in the purchase?
Answer. No, the report does not state to whom the sale was made, or that any Director was concerned in the purchase.
326th Cross-Int. Look at Exhibit marked "S. J. T. No. 5." and say whether it is in your handwriting, and whether it is a correct statement of the condition of the Company at the date therein mentioned.
Answer. It is my handwriting and is a copy in substance of a condensed statement of the Company's situation October 1st 1857.
327th Cross-Int. The item of $10,000 due to John Winter was that on a contract for the purchase of lands of long standing?
Answer. It was.
328th Cross-Int. The ground-rent of wharf at Baltimore amounted to $15,000 - was that purchase-money of the wharf, and not due at the date of this statement?
Answer. It was part of the purchase-money; I do not remember whether it was or was not the part due.
329th Cross-Int. Did you prepare the original of this condensed statement, and was it, to the best of your knowledge and belief at the time a correct statement?
Answer. The original was not prepared by me, as to the items $12,502.75

embraced in its assets, and the items of $23,016.93 $3,746.48 and $4060.44 among the liabilities. The balance of the items were taken from the trial balance of the Company on that date; the items thus specified were taken from the statements of the superintendents and agents of the Company at Cumberland, Alexandria, and Baltimore, as rendered to the Company.
330th Cross-Int. Were the statements from which bills payable and loan account were transferred to this condensed statement prepared by you, or under your direction?
Answer. Yes, they were.
331st Cross-Int. Are they correct, according to the best of your knowledge and belief?
Answer. I think so.

The commission was then adjourned to the eighteenth day of March in the same year, at ten in the forenoon, and the same place, at which last mentioned time and place the commission met, pursuant to notice, and proceeded, in presence of the solicitors of the respective parties, to take the following depositions that is to say:

The said Edward F. Loomis, being cross-examined on the following cross-interrogatories to him propounded on behalf of the complainant, makes oath, deposeth and saith as follows, that is to say:
332nd Cross-Int. Was there any purchase of stock recorded in the reserved stock account made of John Thompson, or by him?
Answer. I think not.
333rd Cross-Int. Does there appear on the books of the Company an account of the payments made for all purchases of stock recorded in the reserved stock account?
Answer. I think there does.
334th Cross-Int. And do those payments make up the full amount required by the purchases recorded in the said account?
Answer. Yes.
335th Cross-Int. Could the payment of $10,000 to John Thompson have been for, towards, or on account of any of said purchases recorded in this account?
Answer. I do not think ever any statement was rendered to me of any stock purchased of John Thompson.
336th Cross-Int. Was any account ever rendered to you of any other stock purchased on account of the Company than such as are entered in this reserved stock acct?
Answer. None to my knowledge.
337th Cross-Int. Does this account, so far as you know, contain a record of all transactions of this nature in which the Company was engaged during the time you were Secretary?
Answer. Yes.
338th Cross-Int. Is there any transaction appearing upon the books of the Company so far as you are aware of, in which the liability for which the $10000 was paid to John Thompson, could have been incurred?
Answer. No.
339th Cross-Int. Was stock owned by the Company reserved at the time of its organization to be subsequently sold as the Company might require its proceeds for working capital and other purposes?