176th Cross Int. On either of those occasions, did you mention anything about the passage of the resolution, of express ratification, which you have described as having been passed at the stockholders' meeting, June 1st, 1857?

Answer. I think not.

177th Cross - Int. Why did you not mention it on either of those occasions?

Answer. I do not recollect that the question ever was asked me before.

178th Cross Int. If you had been asked at that time, was the thing so present to your mind, that you would have answered the question as you now do?

Answer. I have no doubt of it.

179th Cross Int. If you had been asked to state what took place in respect to this transaction, at this stockholders' meeting referred to, would you have stated that a resolution ratifying that transaction was passed, and also, that a resolution proposing some modification of the transportation contract was passed?

Answer. I should have done so.

180th Cross Int. Were you not asked on the occasion of your examination before Mr. Gonder, whether or not any action was taken at said meeting by the stockholders, having relation either to said deed or contract, and if yea, state what it was, and if there is known to you any record or minute of the proceedings of said meeting relative to such deed and contract, show the same, and designate them?

Answer. I was asked upon that occasion with regard to the general action of the stockholders' meeting, but I have no recollection of being interrogated with regard to any specific act or resolution.

181st Cross - Int. Were you not asked if any action was taken at said meeting having relation to said deed or contract, and if yea, state what it was?

Answer. I was.

182d. Cross Int. Don't you consider the resolution ratifying the deed and contract as being any action of the meeting?

Answer. I do.

183d Cross Int. Don't you consider that question as necessarily calling for a statement that such a resolution was passed, if you, at the time you were testifying, recollected that such a resolution did pass?

Answer. I assume that in my answer I covered the whole question; I was not aware that I was expected to particularize.

184th Cross Int. And therefore you did not particularize?

Answer. I did not.

The commission was then adjourned until the first day of April, in the same year, at noon, and the said last mentioned place, and which last mentioned time and place the commission met, pursuant to notice, and I proceeded, in the presence of the solicitors of the respective parties, to take the following depositions, that is to say:

The said Andrew Mehaffey being then 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:

185th Cross Int. Did you not understand that the object of that part of your testimony which relates to what was done at the stockholders' meeting of June 1st 1857, as to this deed and contract, is to sustain the validity of those instruments on the

ground of their ratification by that meeting?

Answer. The object, as I understand, is to obtain from me all that occurred at that meeting as near as my memory will serve me.

186th Cross Int. Do you not understand that the purpose of the defendants in seeking your testimony on this point, is to make out a ratification of these instruments by that meeting?

Answer. I did not know until now that it was a doubtful question.

The question, at the request of complainant's solicitor, being repeated to him by the commissioner, he says:

Answer. I should infer that such was their purpose.

187th Cross Int. Were you not present at the argument on the motion for an injunction, in the case between these parties before Judge Davis?

Answer. I looked in the Court and sat there probably a half hour, out of a simple curiosity to hear Mr. Stoughton speak upon that occasion. I had heard of him as an eloquent speaker, and wanted to hear him, as it was my habit to do at any time I had a little leisure, upon hearing of any distinguished member of the bar thus engaged.

188th Cross Int. Have you never seen or read the opinion of Judge Davis or either of the opinions of Judge Perry rendered on the motion in this case, or the opinions of the Judges of the Court of Appeals of Maryland, or either of them?

Answer. I have heard of Judge Davis opinion, and I have read Judge Perry's wherein, if my recollection serves me, I think he referred to a quotation from Judge Davis; My recollection does not tell me that there was any allusion in said opinions to a want of ratification. I have never read the opinion of the Court of Appeal of the State of Maryland.

189th Cross Int. In short sir, have you not known that the question whether or not this deed and contract were ratified by the stockholders' meeting of June 1st 1857, is the question in controversy in this case?

Answer. I have not.

190th Cross Int. When you were examined before Mr. Gonder, did you not, in answer to interrogatory 211th, which called on you to state whether that stockholders' meeting took action in relation to either said deed or contract, & if yea, to state what it was, did you not particularize the preamble and resolutions proposing to modify the transportation contract, without in any manner mentioning that any other resolution, either as to the deed or the contract was adopted at that meeting?

Answer. My recollection serves me that upon that occasion a general interrogatory was propounded to me, but that I was not asked to particularize as to every thing that may have occurred; at least I did not so understand it.

191st Cross Int. Why did you consider yourself any more called upon to particularize the one of the two resolutions which you now say were passed on that occasion, rather than the other, as both related to the deed and contract, and you were called on to state what action, if any, the meeting took in regard to either the deed or contract?

Answer. I can not say, unless it be that my attention at that time was