J. J. BRUNER,
EDITOR AND PROPRIETOR

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ANIMAL FERTILIZER,
OR
SUPERPHOSPHATE OF LIME.

THE undersigned having been appointed Agent for this Valuable Fertilizer, respectfully call the attention of

FARMERS

to the same, feeling satisfied they will find it to their interest to use it instead of Peruvian Guano, as an properties are worth more having, and more suitable to the soil and the growth of all kinds of grain. The Manufacturers say:

"We consider it useless to dwell at any length on the necessity of Manure to general and shall pass over to the question not less important to the interests of farmers, which of all the various kinds of Manure is the most powerful and best adapted to the growth and yield of every soil and crops.

It is most evident that that soil will be most and permanently enriched, to which Manure returns all those substances that are withdrawn by each crop, and by comparing now all known and most prized kinds of Manures, we must come to the conclusion that none of these answers fully to the expectations of farmers and to what they claim to be. Barn-yard Manure, owing to the negligence by which its most efficient part, the Urine, is wasted, appears to the soil as mere straw or wood-fibre, and is therefore powerless to enrich it.

Guano possesses a great disadvantage in not containing proportionally sufficient Mineral Substances, and requiring a most careful manipulation, as by the too rapid solubility of Ammonia, caused by the decomposition of Uric Acid, instead of enriching the soil, it exhausts it after the crop more unprofitable than before.

According to chemical theory and to all experience by practical farmers, our Manure is an efficient to a trash unexhausted soil, as in one impoverished by many crops. It returns to the soil all substances necessary for the growth and yield of the plants, in a chemical combination most fit for a quick consolation, nourishing them with Nitrogen, dissolved from the Albumine of the blood, in the form of Ammonia. It considerably accelerates and aids the regular but slow and limited influence of the air, rain and other meteorological agents.

By its Salts it neutralizes the bitter and sour substances of a fresh constituted soil, whatever stimulating vegetation, but being detrimental to the culture of all grain growing plants.

The Phosphoric Salts of our Manure, by their chemical combination with the Acids of the soil, become soluble in water, and supply all grain growing plants with a sufficient quantity of Phosphate, indispensable for the production of a rich crop.

Our Manure, composed of dead animals, blood, offal, and raw bones, represents the following analysis, which speaks for itself, viz:

Phosphate of Lime,	10 to 20 per ct.
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Every one of our customers having found our Manure what we represent it to be—an excellent Manure adapted to every soil and crop, we recommend it with the fullest confidence to every intelligent farmer and planting owner who wants to secure to himself a reliable crop. 300 to 400 pounds per acre have frequently increased the yield of the crop fifty per cent."

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Chemist. 3m40

SOUTHERN
MARBLE EMPORIUM.

CHARLES P. GRAY,
MANUFACTURER AND DEALER IN
Monuments, Tablets, &c.,

WISHES to inform the Citizens of North Carolina generally, that he has purchased the stock of GRAY & BRYAN, and removed to

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MONUMENTS,
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Come and examine—the most fastidious shall be satisfied. Being a practical man and an experienced workman, he will give his personal attention to the Finishing room. He will be in receipt of SEVERAL FINE LOTS OF MARBLE, in a few days.

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C. P. GRAY, Proprietor.
Salisbury, Feb. 15, 1859. 2m47

BOOK BINDING AGENCY,
IN SALISBURY.

I HAVE the pleasure to inform the public, that I have made arrangements with Mr. J. J. Bruner, in Salisbury, to receive and forward to me, orders in my line of business, and to deliver finished work to those ordering through him. All work sent to me through his Agency, shall receive prompt attention, and be executed with exactness and care, both as to quality and style, and in as low terms as Binding can be obtained in any part of the country.

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For Clerks of Courts, Registers, or for the use of Merchants, Railroad or Manufacturing Companies, made to order. ☞ Plain instruction should accompany every order.

DAVID CLEWELL,
Feb. 22nd, 1859. 3m43

Carolina Watchman.

VOL. XVI. SALISBURY, N. C., MARCH 22, 1859. NUMBER 43

Devoted to Politics, News, Agriculture, Internal Improvements, Commerce, the Arts and Sciences, Morality, and the Family Circle.

Mr. Worth's Reply to Mr. Fisher.

To the Editor of the Raleigh Register:

I ask the privilege of replying, through your columns, to the communication of Charles F. Fisher, President of the North Carolina Railroad Company, in relation to the report of a majority of the committee appointed to investigate the affairs of said Company.

The report was signed by four of the five members composing the committee,—two of each party,—and for the facts set forth in the report and the manner of stating them, each of the fourmen equally responsible; but Mr. F., in order to avail himself of the influence of the dominant party, singled me out as the object of his wrath. I am willing to be held responsible for everything contained in the report, as I do not doubt each of the other members is, who signed it. As the evident object of Mr. F. was to involve the issues in smoke, by connecting them with party, he could not recall the report without attacking two of his own party as well as two of the opposition—and therefore he ignores the other members of the Committee, under the pretext that they had not been attentive to their duties and had signed the report upon the faith of my representations.—This pretext is not founded in truth, and ought to be, and doubtless is, more offensive to the other members of the committee, than it is to me. Mr. Forebee was present at every meeting of the Committee, excepting the one on the 4th January, when only Dr. Mills and myself were present and when none of the evidence was taken on which the report is based—and the other members were generally present, and when any one was absent, the evidence taken in his absence was explained to him afterwards, this evidence being almost exclusively taken from the books and records of the company, and the statements of the Treasurer and book-keeper, and answers to letters addressed, by order of the Committee, to Col. Gwyn and others. The report was carefully read and considered before it was signed. As my motives are questioned and I alone am attacked, (except in one instance, where Dr. Mills' statement is contradicted) I propose that I state the circumstances which induced me to offer the resolution under which the Committee was raised.

I was appointed a member of the Committee on Finance. I sought to inform myself how much revenue must be raised by taxation. This necessarily brought up the inquiry how much are we to expect from the $3,000,000 invested in the N. C. R. R.,—or are we to expect any thing? I procured and read carefully the annual reports of the President of the road, made since the completion of the Road. I found in them internal evidence that no reliance was due to their financial statements. I had no stock in the road—had not been a member of the Legislature since 1840—had no acquaintance with Mr. Fisher, and no motive and no desire to injure him, and knew nothing of the management of the road—except that during the electioneering canvass I had heard much complaint among my constituents of Alamance, of all parties, as to the management of the road. I at once decided without consultation or conference with any person whatever, that it was a duty I owed my constituents, to see, if I could, what was the financial condition and prospects of the road, and what foundation there might be for the complaints I had heard as to its management; and I drew up and offered in the Senate, on the 29th November, the joint resolution which, amended to include other roads, passed both Houses of the Assembly unanimously. It never entered my head that this committee was appointed, as Mr. F. would have it, to examine and audit every voucher and investigate every transaction for the past nine years. The language of the resolution warranted no such absurd interpretation. In attempting to ridicule me for attempting this Herculean labor, which the terms of the resolution did not embrace, Mr. F. ridicules the whole Assembly which unanimously adopted my resolution. It was the 'general management' which I proposed to investigate, and particularly those matters as to which there was complaint. As to all those not examined, the officers were entitled to the presumption that their management had been judicious, until the contrary appeared. I expected, and the Assembly could have expected, only such investigation as was practicable; and the officers of the Company, if they felt conscious of having discharged their duties properly ought to have desired special inquiry into those matters about which there was general complaint. These were the views of every member of the committee, including Mr. Green, who declined to sign the report of the majority, and filed a minority report, resting his objection on the ground that the investigation was not sufficiently comprehensive. I call attention to his admission in the House of Commons, in reply to interrogatories propounded to him by Mr. Ferebee, on the coming in of his minority report. Mr. Green then said he did not mean to say or imply that any thing in the report of the majority was incorrect or improperly set forth—that he was not at all the meetings of the committee, though he was at most of them—that he could not testify as to any facts except those investigated when he was present—that those were strictly true and correctly set out in the majority report, and he believed the others to be so; and he believed the subjects which the committee attempted to examine received a fair and impartial investigation. He further stated that he himself called the attention of the committee to, and asked the investigation of some of the subjects that were inquired into and reported on by the majority,—as for instance the contracts for wood—how made—when, by whom and the amount. He further admitted that it was expressly understood by the committee, when they first entered on this investigation, that they could not examine all the affairs of the North Carolina Rail Road Company, and would be necessarily restricted to the leading and important features of its management, and he further admitted *that the objection, on his part, to this partial investigation had arisen made this investigation one sided, by the unanimous consent of the committee.*

These candid admissions were what was to have been expected of the worthy gentleman who made them, being in strict accordance with truth.

Being thus sustained by every member of the committee, I should not feel called on to reply and would not reply, to Mr. Fisher's effusion, in which he rests his defence on his own unsupported assertions, apparently in opposition to mine—but really in opposition to *every member of the committee*—if it had not been for the attempt of the Speaker of the Senate, and Messrs. Ashe, Lane, Brown, Houston and others, to dignify this communication by printing it, without reading, by order of the Senate.

It is not presumable that the Speaker offered this communication to the Senate, or that Senators advocated the printing of it, without having read it. The report of a committee may, with propriety, be printed without reading—because the House may properly assume that a committee of its own members will say nothing indecorous and insulting to the body. No such presumption exists as to outsiders. Whilst the right to petition is secured by the constitution to the citizen—it is a right which must be exercised in terms respectful to the General Assembly. Any member, therefore, who would allow himself to present any communication, couched in disrespectful terms to the body or any of its members, ought to be censured: consequently, it becomes necessary that a member *know* what he is presenting. I take it for granted, therefore, that the Speaker, who offered, and the Senators who advocated the printing of Mr. Fisher's communication, knew its contents, (for it was presented in printed form) and that they deemed it a document fit to be received and printed. Such does not seem to me to be its character; but there is no accounting for tastes. Let me proceed to review it—and let a just public judge.

A notable feature which runs through the whole communication is, that it is treated as my report, and the disparaging and offensive remarks with which it abounds, are directed at me alone, which by necessary implication, apply to the other members of the committee who signed it. It may be that the dominant party in the Senate deemed such expressions as those applied to me alone, as not affecting the worthy gentlemen of their own party, who, by signing the report, had concurred in all it contained, and that as I belonged to the minority, I was without the pale of the protection of the body of which I was a member. Some of these expressions are—

"The chairman talks about steps necessary to coerce the attendance of the President, which he very well knows is nonsense, but which may do to impress some as to his consequence."

"The next count in the chairman's bill of indictment against me, is as to the wood contracts."

"He speaks with manifest ignorance and prejudice."

"But what does the chairman propose? That the General Assembly shall pass an act to regulate the running of trains on the North Carolina Railroad, and appoint him, for his learned chapter thereon, superintendent of transportation on the part of the State." "He had my report, yet he makes the statement above, when *he either knew, or refused to know* which he pleases," &c.

"He knows these things, or he is wilfully ignorant."

"The chairman shows his ignorance in talking about measurements on a Railroad by disinterested men."

"But not satisfied with this, in which he is indulged as harmless flourishing in the way of brief authority, he applies to the Senate for still further power, this already potential chairman."

I quote the foregoing expressions as showing some of the ingredients in the dish which seems to have been so well adapted to the taste of the gentleman who urged the printing of the document without reading. Gentlemen of the minority, who exhibited their indignation, and thereby arrested the reading of this communication, are reproached for their disorderly conduct. Could any Senator, not having craven spirit, quietly listen to the reading of such a paper?

When the reading is arrested by the storm of indignation which arose, the Hon. W. S. Ashe, who had not *introduced* the communication, asks leave to *withdraw it*. What reason does he assign for his motion? He said that as his "purpose was effected, he would now withdraw the communication." What purpose? I can imagine no purpose accomplished, unless it was to offer a Senatorial insult to one of the members of the Senate. He is president of a Railroad in which the State has stock. Have those presidents of Railroads become so great, that the representatives of the people dare not look after their money, invested in companies of which they are president! It would seem so. Mr. Ashe says it is a bad precedent.

Mr. Fisher says that on the 4th of January, in his reply to my remark, that it was our purpose to make a fair and impartial investigation, he said "if this is your *sincere* purpose, although much injustice, and much misapprehension might result from a discursive and partial inquiry, and although it had been my intention to *require a* regular and complete inquiry, I will allow you to proceed in any mode of *just investigation*: here are all the papers for your use, and the men to explain them; proceed as you please." No such arrogant and offensive remarks were then made. No remark was then made, implying a doubt as to our *sincerity*; or assuming that the examination was merely *permissive* on his part, and to be conducted according to his notions of what was proper. We regarded ourselves as in the exercise of a right, belonging to the people of the State, which right is fully recognized in Mr. Fisher's letter of the 22nd of December, 1858. On the contrary, at that interview, his remarks were all courteous and becoming.

He next asserts "from that night (4th January) to the close of this examination, when the men and books were discharged, no single question has at any time been asked of me." He admits that he then told us he could not possibly remain in personal attendance, but if his attendance was at any time required, it should be instantly given on his being notified. He does not deny that he kept away, for a week, the book-keeper and books without any explanation. He does not deny that he received my letter of the 15th January written to him as chairman, every word of which was approved by every member of the committee, in which he was requested to attend the committee on 19th January following. He does not deny that he did not attend on the day designated. He does not deny that he sent, without explanation, for the journal of the Directors, which was in my possession, to be sent to Salisbury. He does not pretend that he ever answered my letter of the 15th of January, which I had addressed to him, as chairman, by order of the committee, but he sets out a letter written to Mr. Drake, which I never saw until I saw it in his communication. Mr. Drake's just sense of decorum prevented him from showing it to me. Every communication he sent me, as chairman, was annexed to the report. He seems to have felt there was some humility in his recognizing me as chairman. He sets out what he calls copies of the letters—the one dated Jan. 31, 1859, the other Feb 2, 1859—in each of which he professes to address me as chairman. They are both false copies. The word "chairman" is interpolated. I have the originals. He knew I would not permit him to draw me from the discharge of my official duty into a personal controversy, and seeing no excuse to offer to the public for ignoring my position as chairman, he makes a false copy for the public. Seeing that Mr. Fisher was disposed to take away all the evidence we had, and that he would not regard our summons as to his personal attendance, nor deign an explanation for disregarding it—towards the last of the week, with the unanimous concurrence of the committee, I offered a resolution in the Senate, asking for power to send for persons and papers, and to examine witnesses on oath. This resolution passed both branches of the Assembly, and the omission to exercise the power so to the president of the Road is the only error into which I think the committee fell.

I received Mr. Fisher's letter to me of the 26th January, set forth in his communication. A member of the committee had requested me to convene the committee on the day before, to enable Mr. F. to offer, as I understood him, an explanation as to his non-attendance, withdrawal of his book-keeper, &c. I replied that this could be better done by writing—that such written explanation could then accompany the report, and there could then be no pretext to impute misrepresentation to me. To this letter, not addressed to me as chairman, in which he declares he had no "explanation" to make, I made no reply, but I convened the committee, submitted the letter to them and asked for their instructions. A majority of the committee thought he should be required to submit his explanation in writing. By a misapprehension of one of the committee, he was introduced and made many remarks, but was distinctly informed that no notice whatever would be taken of anything he said, if he would not put it in writing—that any *written* communication he might choose to make should accompany our report. He refused to make any written communication, and yet indecorously attempts to set forth that conversation, suppressing the most material portions of it.

Mr. F. dwells much on the dismissal of the book keeper and treasurer on the 22d January, suppressing the reservation that they "have leave to remove to the respective offices, all their books and papers (excepting those in possession of the committee) subject to any further call for information which the committee may make on them."

One of the most important inquiries which we desired to make, was that which related to the financial condition of the company, and at one of the earliest meetings of the committee we had it here due to the committee to say we unanimously regarded our duty as one wholly disconnected with party, and the investigation was conducted to ascertain truth, without inquiring what were to be its effects on any party, or any individual—and every member of the committee concurred in the propriety of investigating the subject proposed by Mr. Green. Whence arose this inquiry? In Mr. Fisher's report to the Directors in July, 1857, having been then two years President of the Road, he said there was then on hand, wood of the value of $47,263.01, which he represented as enough for three or four years—and that "this large surplus age of wood is on the eastern end, and was delivered under contracts made *before* my term of office," &c. The committee presumed that he had hardly allowed other purchases to be made on the eastern end, when such an excess of wood had been improvidently or wantonly bought *before* his term of office, and consequently we supposed that after supplying the wants of the road for two years, there remained still of this monstrous excess bought "*before* his term of office," the quantity set forth in his report.

The burthen of Mr. Fisher's complaint is that he is singled out for prosecution in this inquiry—Is this complaint just? Let us see. I need not point out the extreme folly of such a purchase of wood. It was obvious that whoever made this purchase deserved public censure. Mr. Fisher, who had been two years president, in a deliberate report to the directors, which was adopted by them, and thereby made the report of the President and Directors to the Stockholders, had asserted that these contracts were made "*before his term of office*," consequently this fault attached to Gov. Morehead's administration. Did I seek to evade it on account of the apparent probability that its result would injure my personal and political friend? Let every member of the committee testify. At this stage of the proceeding, no one could suppose that Mr. Fisher would have made the assertion in this deliberate manner, without *knowing* that the facts would sustain the assertion. We called for the written contracts. It turned out that all the contracts for the eastern end of the road, which we could find, amounting to $51,265, were made months *after* Mr. Fisher's term of office commenced—and *all* of this wood was purchased at $1.25 per cord. The two purchases made by the preceding administration for 2500 cords of wood, on the western end, were at $1.50 per cord. Is Mr. Fisher's communication be *does not question a fact stated in the majority report* as to wood. How could he? They were taken from the contracts and his reports; but he charges the issue. He had said the purchases were made *before* his term of office. The date of the contracts proved the contrary. In his "communication" he seeks to throw the censure on the chief engineer—says he "found many cases where large contracts had been promised but no written agreement made at the time." Look to the contracts, table No. 6, attached to majority report, from which it will be seen that no large written contract was made before January 1856, some 6 months after Mr. Fisher was made president. Let me commend to Mr. Fisher the study of his apothegm—"A crooked pathway requires circumspect walking."

As to his commentary on the majority report as to right of way over Andrews' lot at Raleigh, the report shows that Andrews purchased the lot, including the right of damages for way over it, *after* the road was located, for $250, and that Mr. Fisher has paid him for right of way over this lot $760 *in part*. This was done in Nov. and Dec., 1855, and no deed has yet been taken. These are the facts reported, and they stand uncontradicted.

The report shows that on the 8th July, 1852, Gen. Trollinger undertook to do certain work at and near Haw River, *without charge* to the company, from which he probably expected in some way to derive benefit to himself, and that on the 10th April 1857, upon his application to the Board of Directors, stating that this work had cost him $1,681, and that he had expended $1,028 in conveying water to the place, building water station, &c., the Board paid him $700. The report stated that we learned that the water is of little or no value to the company, being only two miles from Graham station and four miles from the shops. This passage he misquotes, and then, in his usual strain of disrespect to me, (in this case, going out of the way to slur the Treasurer,) he says 'that this worthless water has, during the dry summer, been our chief dependence for the running of all our trains." If this be so, it did not come to our knowledge, and assuming it to be true, it cost the General, including the water station, $1,028.—Was the whole sum of $2,000 paid for it?—or was part of it a donation?

As to the facts reported in relation to the running of the express train. Mr. Fisher's communication exhibits nothing worthy of notice excepting certain remarks as to the chairman characteristic of Mr. Fisher's taste and sense of decorum in a document addressed to the Speaker of the Senate, such as this, "the statement-ter" (the chairman) "given, action of the master mechanic, was never given by him as its cost, but is the chairmen's own amount, *made up* from separate questions to the master mechanic. The chairman cannot comprehend, and this is not his fault—how should he?—that the two trains on a road are not obliged to cost the double of one train," &c. "His estimates and comparisons, as to the passenger traffic, are in the same manner erroneous."

He does not venture to point out wherein they are erroneous. The accuracy of the figures and facts, are proved by his own reports. The conclusion deducible from them is irresistable—that that train has cost much more than it has come to, independent of the great *wear and tear* to the road and machinery. If the small increase of travel, during the panic year, arose from this train, whence arose the greater increase in freights?

In regard to the majority report as to the shops, he quotes this passage: "We do not find that Colonel Gwynn, or any other Engineer, recommended that the town which must necessarily grow up around these shops for the residence of the officers, &c., should be built up by the Railroad Company." On this he proceeds to remark, "Here is a very plain issue. The fact is stated in my report that this "town" was built on plans on file, approved, adopted, and handed to me. He had my report, yet he makes the statement above, when he either knew or refused to know—which he pleases—the facts, that *the plans and estimates for every building at the company shops, except those for the hotel and master of the road, and for the store house of Messrs. John M. Worth & Co., were prepared under the eye of the chief engineer, Col. Gwynn, and adopted.*" We called for these alleged plans. None such could be produced.—We called for Col. Gwyn's reports as to the shops, and read all that were produced. No such plans were seen by us, but Mr. Fisher had asserted there were such plans, &c., and *therefore the chairman knew or refused to know.* Didn't Mr. Fisher assert that all that surplusage of wood was bought *before his term of office?* Mr. Fisher should read and study that moral. But I suppose he will say, why didn't you ask *me?*—*I* could have been informed you. Because you would not come when asked to come, and because you would not answer questions when interogated. Had you appeared before the committee when asked to appear, questions enough were made ready for you. Perhaps you acted discreetly in dodging them. We inquired of the book-keeper, who ought to have had these plans, if there be any. But the committee did not intimate that Mr. Fisher planned the town. Does he mean to arrogate the sovereign control of everything connected with the N. C. R. R.? We supposed the Directors ordered the building of the town, and we could see no good reason for it. Mr. Fisher has not furnished any.

He says the chairman "*knows* that the day work of Dudley and Ashley, which he publishes at length, was done under contract made by Colonel Gwynn. He *knows* that the day and 'job' work of Jas. G. Moore, which he publishes at length, was done under contract made by Col. Gwynn." I know no such thing.—Col. Gwynn tendered his resignation on the 10th January, 1856. The "day work done up to the 1st of June, 1856" by Dudley and Ashley amounts to $1,452 99
"Work done by day, up to the close of 1856" 4,555 33
$6,015 23

This, taken from the account of Dudley and Ashley, placed to their credit by order of Mr. Fisher, on the 21st Dec., 1858, is all the chairman knows, and all he could find out. *An exact copy of these accounts as settled being set forth* for such inferences to be drawn from them as the facts might warrant, with our comments-ry only as to—

First. The statement of the Treasurer and book-keeper, "that the written contracts, under which this work was done, if any exist, are not on file with them."

Secondly. Most of them are without date, and one of them contains items for work done by the day, in the year 1856, amounting to more than $6000.

Thirdly. The credit for all these bills are entered on the books, 21st Dec. 1858, by order of the president, who appears to have passed on them without any estimate by any disinterested party competent to make it."

Mr. Fisher's tirade impeaches none of these facts. I suppose the President of the Road is not the custodian of its records. We inquired for the contracts of the officers who should have had them if any exist. Mr. Fisher would not appear before us when asked to do so, or he would have been asked whether any such contracts existed, and many other questions which he would probably have refused to answer.

It is not true as stated by Mr. Fisher, that the chairman "wholly forgets that the chief engineer was in office till Jan. 10th, 1856"—and it is equally untrue that Moore's estimates are "set forth as enormously extravagant." The account is set forth and no remark is made as to its extravagance. The facts being truly set forth, we left the General Assembly and the public to judge.

In relation to the hotel the report set forth a copy of the resolution of the directors, ordering the erection of a hotel, to cost not exceeding $8000. We state that it was a brick building; and we set forth a copy of the carpenter's bills for work on it, not including lumber, amounting to $6,711.08. We saw by this resolution of the Directors that a committee, consisting of Mr. Fries and others, were, by the resolution, associated with the president to carry out this resolution. Mr. Fries being a member of the Legislature, was asked by us, not what the president represents us as asking, but *who a building was erected costing as much more than the amount limited by the Directors.* We did not undertake to decide whether the hotel was too large or too small. We found the Directors had decided how much *should be expended* in its erection; and from what we could learn, one had been built costing, as we believed, full twice as much. If they had prescribed a plan, the execution of which required twice the amount of their fiat, we should blame them for the stupidity. We said nothing as to its being too large or too small, and Mr. Fisher therefore had no reasonable pretext for lugging before the General Assembly the opinion of the excellent hostess, as to its not being large enough. His remarks warrant the inference, that the country from Columbia to Goldsboro' is a desolated desert, with nothing on the way to "refresh the physical exhaustion of the tired traveller." The rest of his observations are mere assertions—the same strain of vituperation which abounds every where.

As to station agents, he says—"The chairman states three cases where station agents are in default and *mis-states* all of them. The one at Goldsboro' *will be* only a little more than two thousand—not over five thousand as he represents. *Will be!* Will be when? We gave the figures furnished us by the proper officer.—If he made any mistake—which is improbable—why impute it to me? We were stating then existing facts—not what the balance *will be* at some future period.

He says "The one at Smithfield was an appointment of a former term and the loss was owing to uncollected freights at his death." In what is this at variance with the report? We did not state when he was appointed. It may be that this agent was appointed during a *former term.* I have not the means here of determining. I should not be surprised if it turns out like the wood, bought *before* his "term of office."

As to the third case, he, of course, says "the chairman made an untrue and incorrect statement." He had introduced the subject by saying the chairman had *mis-stated all of them.*—This must be impressed, and is reiterated when he reached the third one. Any one who will take the trouble, will see that he mis-states the report, and shows nothing wherein the report was incorrect, excepting as to his own misstatement—and winds up, "I neither expect nor propose that the road shall lose this."

In the conclusion of Mr. Fisher's communication he says: "I have been arraigned before this General Assembly on the charge of incompetent management of the work entrusted to my hands, and a proposal was made by my enemies to proceed upon an investigation." Who made the proposal? I offered the resolution of inquiry. Does he mean to magnify me into enemies? If he means that *I* was his enemy, he is greatly mistaken. I had never had any transaction or correspondence or intercourse with him. I entertained not an unkind thought against him, and he would find it difficult to imagine any motive I could have to injure him. He adds, "let it be carefully noted, Sir. The charter of this corporation gives no authority to the Legislature to make any such inquisition," &c. "I might have said to the proposal to examine, made by those whom I might have suspected did not intend to examine fully and fairly. You are exceeding your jurisdiction, the charter gives you no such authority, look to the reports of the State's men, if you wish to see its condition."

In his letter to Mr. Drake he says the chairman "moved in the Senate an investigation without warrant of law, in his opinion," &c.—Now this is an untrue assertion. I entertained no doubt but that the people, through their representatives, had a right to investigate the management of a corporation, three-fourths of the stock of which was theirs. The Legislature which adopted my resolution unanimously must have thought so—I did not think, and no member of the Legislature could have thought, this examination was asked as a *favor* of the President, or they would not have unanimously authorised the committee to send for persons and papers and to examine witnesses on oath. In Mr. Fisher's letter of the 22nd December, he distinctly admits it, without restriction or limitation, in these words: "although, as you remark, our charter does not authorise such an investigation in terms, yet, as a State work, this right must belong to the sovereign power and most clearly may be and ought to be exercised at its pleasure!" So *I* thought—and hence I did not feel that he was at liberty to withdraw his book-keeper and books at pleasure and to answer or refuse to answer at pleasure. I felt that this right belonging to the sovereign power, was for the time vested in the committee of which I was a member. Hence the committee, or as Mr. Fisher prefers to express it, the chairman, when speaking about "steps necessary to coerce the attendance of the President, did not know, as Mr. F. says he did, that what he said was "nonsense," nor did he or the committee feel that this expression "might do to impress some with his consequence."

The review of the President's official reports made by the committee, proves that if his statements, in his report of July, 1856, and in his memorial to the Legislature in the winter of 1856-'57 had been true, there ought now to be a surplus in the Treasury not exceeding $300,000, instead of $41,205 36—as stated in his report of Jan. 20th, 1859. This review he does not deem of sufficient importance to warrant a reply.

His allegation that the investigation was conducted by me only to arraign and censure his conduct, is without color of truth. The investigation as to the wood, if his statement had been true, would have brought censure on somebody *before* his term of office. The remark is an insult to every member of the committee, including Mr. Green, who frankly and honorably admitted, on the coming in of his minority report, everything necessary to the vindication of his associates.

Speaking of the chairman, he says: "He commences by proposing in his place a proceeding not warranted by the act of incorporation, as he states in his first letter to me." Now, that letter was signed by each member of the committee. It did not state that the proceeding was not warranted by the act of incorporation, but alluded to the fact that it contained no specific provision to this effect—that Mr. F. might raise the issue, if he thought proper, as to the jurisdiction of the Legislature. The remark, pointed at one only point also to the whole General Assembly which unanimously adopted my resolution, and authorized the committee to send for persons and papers and examine them on oath.

He says, I proposed, in the midst of my duties as a legislator, for a few weeks to undertake the Herculean labor of investigating the affairs of a large corporation through nine years of its existence—"an absurd impossibility," &c.

If my proposition had contemplated taking up each item—each voucher—each transaction, and investigating it—which it did not—then it would have been absurd; but in pronouncing my proposition absurd, after its unanimous adoption by both branches of the Assembly, this epithet applies to *every member* of the Assembly. Nobody but Mr. F. ever thought of the course of investigation which he wished to dictate to the committee, the adoption of which he knew would accomplish the purpose which, with *professions* to the contrary, he steadily pursued throughout—to wit: rendering the investigation futile. Actions speak louder than words.

Hear him: "Being allowed by courtesy of its authorities to proceed as he pleases in this adventure, he rapidly grows arrogant; takes "the papers and books into possession" and the men into custody; grants "leave of absence" and "orders" attendance at his pleasure. But not satisfied with this, in which he is indulged as harmless flourishing in the way of "brief authority," he applies to the Senate for still further authority—this already potential chairman—"to send for persons and papers, and to examine under oath," although he had, sir, I pray you to mark, all he required of both, which we could give, freely subject to his commands."