

- No. 78. Q. At the time the work was suspended there were, you say, £32,500 paid to contractors—Was any other money paid? A. There was another contractor, and I had no access to his prices. I averaged the fifth contractor according to the prices of the other four.
- No. 79. Q. Did those prices include the right of way? A. No. The Company found their own right of way.
- No. 80. Q. Did that include engineering expenses? A. It included nothing but what the sub-contractors did on the line for Mr. Zimmerman, without engineering or anything of the sort. I made this account out for a particular purpose.
- No. 81. Q. What purpose? A. To see if Mr. Zimmerman was not overpaid.
- No. 82. Q. At whose instance did you make it? A. At no one's.
- No. 83. Q. When did you make it? A. When the work was finally suspended.
- No. 84. Q. Immediately after? A. So I think; but I do not know what you mean by immediately.
- No. 85. Q. Was Mr. Van Voorhies a contractor, and if so, what amount did he receive? A. He was a contractor. I cannot tell what he received.
- No. 86. Q. Who were the other sub-contractors? A. Smith & Co., Alex. McBain, and another who went away. When I spoke yesterday of four contractors out of five, I should have said three out of four.
- No. 87. Q. Have you any memorandum of the way you made up that estimate? A. I have among my papers.
- No. 88. Q. What work did Mr. Van Voorhies execute? A. I cannot tell from memory what any did; but I will get the materials and satisfy you on any point.
- No. 89. Q. Have you any approximate notion? A. Mr. Van Voorhies told me his prices.
- No. 90. Q. What amount was paid him? A. I can not tell; but I will produce my calculations.
- No. 91. Q. How did you arrive at the £32,500? A. I put down the prices that the three got, and made a fair average from them for the amount paid the fourth.
- No. 92. Q. When you say paid, do you speak of the average amount paid in money by Mr. Zimmerman to them? A. It was the average rates for the work done. I do not know whether Zimmerman paid them any money. When I said paid I spoke of the prices which existed between Mr. Zimmerman and them. I am ready to show the Committee the means I took for arriving at my conclusions.
- No. 93. Q. Who did the bridge-making on the line? A. Ah! that was what I forgot. When I spoke of four out of five, I was correct. The fifth was the firm of Bradley and Jenkins.
- No. 94. Q. What did you estimate the bridge-building at? A. I have said that I would lay my papers before you. At present I cannot tell you; and the long period since I left the Woodstock and Lake Erie Railroad, and the dispersion of the contractors from the works, prevent me from having the same facility as I had at the time when I made up that estimate.
- No. 95. Q. Have you the data at your office on which this approximate estimate was formed? A. I have some of it.
- The Committee then adjourned.

*May 13th, 1857: M. FOLEY, Esq., in the Chair.*

Mr. HODGE again appeared before the Committee, and stated that before continuing his examination he wished to enter a Protest.

The Chairman: Well, let us see it.

Mr. HODGE: If I do not get it allowed here, I shall petition the House to-night.

The Chairman: The Committee cannot allow itself to be threatened in that manner; but read the Protest.

Mr. HODGE then read his Protest, to this effect.

“That believing the Hon. Receiver General has great interest in the Zimmerman Bank, and is Chairman of the Woodstock and Lake Erie Railway, I protest against his being allowed to continue his cross-examination in the captious, discourteous, and unbecoming manner pursued to me yesterday; and I farther say that the Hon. Receiver General being President of the Zimmerman Bank, and President of the Woodstock and Lake Erie Railway, he would greatly facilitate the proceedings of this Committee, if he would produce the Ledger and Cash Books of both Companies, and would greatly aid me, your witness, by furnishing data that would refresh my memory as to facts considered by me to be necessary to be known; but which, owing to the great lapse of time since those occurrences, are not exactly remembered as to details.”

He added that he thought the latter part of his Protest contained a very modest request, which would be complied with.

Strangers being ordered to withdraw, on their return,

The Chairman intimated to Mr. Hodge that the Committee had decided not to receive the said Protest, as nothing had occurred on the part of Mr. Morrison or the Committee, to call for it. But Dr. Southwick wished it to be understood, that he was not an assenting party to the decision, as he believed any party before the Committee should be allowed to put in that or any other papers they thought essential to their case.

The Committee then adjourned till 10 o'clock next day.