May it please your Honors to grant unto your Petitioner the writ of Injunction restraining and enjoining and strictly prohibiting the said Meshack Frost and Isaiah Frost and all others their servants, agents and assigns and the said Frostburg Coal Company, the assignee or grantee of the said Meshack Frost and Isaiah Frost and Thomas J. McKaig, the President of said Company and Thomas J. McKaig, William W. McKaig, Isaiah Frost and Meshack Frost Stockholders of said Company, and Daniel C. Bruce the general Agent and superintendent of said Company and Robert Tennant, the Chief Miner of said Company and all others the servants, agents and assigns of the said Meshack Frost and Isaiah Frost, and all others, the President, officers, directors, agents, sub-agents, miners, servants, laborers, engineers, assigns and Stockholders of said Company and all other persons now or hereafter engaged in taking out Coal from the land aforesaid until there shall be effected a partition of the same between the said Meshack Frost and Isaiah Frost and the said John Young, your Petitioner, according to the decree aforesaid, or to other order or decree yet to be passed by said Allegany County Court as a Court of Equity fully and finally determining and settling the matters and things in dispute between the said Meshack Frost and Isaiah Frost and the said John Young your petitioner and bringing to a full and final close the said cause whether by partition or otherwise. And may it also please your Honors, to grant unto your petitioner, the State most gracious writ of Subpoena to be directed to the said Meshack Frost and Isaiah Frost and all others their servants, agents and assigns, and to the said Frostburg Coal Company, the assignee or grantee of the said Meshack Frost and Isaiah Frost and to Thomas J. McKaig the President of said Company and to Thomas J. McKaig, William W. McKaig, Meshack Frost and Isaiah Frost, Stockholders of said Company and to Daniel C. Bruce, the general agent and superintendent of said Company and to Robert Tennant the Chief Miner of said Company and to all others the servants, agents and assigns of the said Meshack Frost and Isaiah Frost and to all others the President, Officers, Directors, agents, Sub-agents, Miners, Servants, laborers, engineers, assigns and Stockholders of said Company and all others now engaged in taking out Coal from the land aforesaid, thereby commanding them and each of them at a certain day and under a certain paine therein to be inserted to appear in this Court to answer the premises and abide by and perform such decree as may be passed therein and as in duty bound Your petitioner will ever pray &c.

Chas. C. McCulloh } Solrs
George A. Pearre } for Petitioner

State of Maryland, Allegany County to wit:

Be it remembered and it is hereby certified that on this Eighth day of December in the year 1848 before the Subscriber a Justice of the peace in and for said State and County personally appeared John Young the above named petitioner and made oath on the Holy Evangels of Almighty God, that the matters and things stated in the aforegoing petition are true to the best of his knowledge information and belief

Sworn before. William Taylor J.P.

"Exhibit A"

At the request of the Frostburg Coal Company the following deed was recorded March 18th 1845.

This Indenture made this thirteenth day of March in the year of our Lord One thousand Eight hundred and forty five, between Isaiah Frost and Sarah Frost his wife of Fayette County and State of Pennsylvania, now of Allegany County and State of Maryland of the one part, and the Frostburg Coal Company chartered by the State of Maryland of the other part, Witnesseth that the said Isaiah Frost and Sarah Frost his wife for and in consideration of the sum of One hundred thousand dollars current money of the United States to them the said Isaiah Frost and Sarah Frost in hand paid by the said Frostburg Coal Company at or before the sealing or delivery

of these presents, the receipt whereof the said Isaiah Frost and Sarah Frost do hereby acknowledge and therefrom do release, acquit and discharge the said Frostburg Coal Company its successors and assigns, have granted bargained and sold and by these presents do grant, bargain and sell unto the said Frostburg Coal Company their successors and assigns forever all the following described pieces, parcels and tracts of land lying and being in Allegany County and State of Maryland to wit: all those two pieces or parcels of land devised by the last will and testament of Josiah Frost Senr. to the said Isaiah Frost by will bearing date the 30th day of March 1813. Beginning for the said piece or parcel of land at the end of three perches on a line drawn North 62 degrees West from a bounded White oak standing on the North side of the turnpike road and running North 74½ degrees East 31 perches to the end of 80 perches on the first line of lot No. 4088 then reversing said line North 10 degrees West 10 perches to a stake, South 85 degrees East 11 perches, North 26 degrees East 48 perches to a stake standing about three feet from a Cucumber tree marked six notches, then North 68 perches to the end of 52 perches on the fourth line of lot No. 4088 and with it North 79 degrees West 45 perches to the end of the third line of a tract of land called Good Luck and with it west 80 perches, North 45 degrees West Forty perches, South 15 degrees, West 20 to the centre of the road then with the road South 31 degrees East 70 perches, South 42 degrees East 40½ then leaving the road South 48 degrees West 8 perches, South 42 degrees East 46 perches, North 42 degrees East 20 perches, North 10 degrees West 14 perches South 81 degrees East 7 perches, South 7½ degrees East 21 perches, South 42 degrees East 30 perches South 28 degrees West 16 perches then by a straight line to the beginning containing about one hundred thirty seven acres excepting nevertheless therefrom those lots of land heretofore sold to certain persons by the said Isaiah Frost and now embraced within the limits of the town of Frostburg containing in all about 23 acres leaving of the land which is now conveyed about 114 acres be the same more or less. Also all that piece or parcel of land lying and being in Allegany County aforesaid being part of a tract of land called "The Vale" comprehended within the following meets and bounds, courses and distances. Beginning at the beginning of "The Vale" and running thence across the whole tract South 39 degrees West 205½ perches to a bounded White oak, South 10 degrees East 57 perches to a hickory grub marked with 6 notches standing on the North side of the road leading from the meeting house to Kelghmans Mill thence with said road, South 38 degrees, West 38¾ perches to a stake, thence leaving the road North 58 degrees West 59½ perches to the end of ¾ of a perch on the 10th line of "The Vale" thence with the outlines of "the Vale" South 19 degrees, West 44¼ perches to the end of one and a fourth perches on a line drawn South 30 degrees, West from a sugar tree marked with 6 notches, South 77 perches to the end of one perch on a line drawn South 21 degrees West from a maple marked with 6 notches, West Fifty perches to the end of one perch on a line drawn South 19 degrees East from a white oak marked with 6 notches then leaving the outlines South ten degrees West one hundred perches West 149 perches, South 23 degrees, East 8 perches to a locust standing South 46 degrees, West one and a half perches from a bounded white oak at the end of twelve perches on the 26th line of the whole tract and with the said line South 22 degrees East 143 perches to a stone standing North 41 degrees West one and a half perches from a white oak marked 12 notches then a leaving the outlines North 45½ degrees East 147 perches, North 10 degrees East 46 perches, North 70 degrees East 210 perches to a large hickory tree marked with six notches shown by the said Isaiah Frost to stand on the