buildings and improvements (except as herein before reserved and excepted) ways, waters, water courses, rights, members, privileges advantages and appurtenances thereunto belonging. To Have and to Hold the said above described lands and premises, with every the appurtenances thereunto belonging unto the said Frostburg Coal Company and its successors and assigns forever, and to and for no other use, intent or purpose whatsoever. And the said Meshack Frost and Catharine his wife for themselves their heirs, executors and administrators do hereby covenant, grant, promise and agree to and with the said Frostburg Coal Company its successors and to assigns that they the said Meshack Frost and Catharine his wife the said above described lands and premises hereby bargained and sold and every part and parcel thereof with the appurtenances thereunto belonging to it the said Frostburg Coal Company its successors and assigns against them the said Meshack Frost and Catharine his wife and their heirs and against all and every person or persons whatsoever shall and will warrant and forever defend. In Testimony whereof the said Meshack Frost and Catharine his wife have hereunto subscribed their names and affixed their seals on the day and year first above written.

Signed, Sealed and delivered in presence of Wm. Thompson Peter Uhl — Meshack Frost (Seal) — Catharine Frost (Seal)

State of Maryland. Allegany County to wit.

Be it remembered and it is hereby certified that on this 13th day of March in the year of our Lord One thousand Eight Hundred and forty five before the Subscriber, two Justices of the Peace of the State of Maryland in and for Allegany County aforesaid, personally appeared Meshack Frost and Catharine his wife they being known to us to be the persons who are named and described as and professing to be the party grantors in the aforegoing deed or instrument of writing and do severally acknowledge the said deed or instrument of writing, and do severally acknowledge the said deed or instrument of writing, to be their respective act and deed, the said Catharine Frost having signed and sealed said deed or instrument of writing before us out of the presence and hearing of her husband. And the said Catharine being by us privately examined out of the presence and hearing of her said husband, whether she doth execute and deliver, and acknowledge the same freely and voluntarily and without being induced to do so by fear or threats of or ill usage by her said husband or by fear of his displeasure declared and said that she doth. In Testimony whereof we hereunto subscribe our names on the day and year aforesaid. Wm. Thompson. Peter Uhl.

Whereupon the Court here passed the following Order to wit:

On reading and considering the above petition it is on this 13th day of December 1848 Ordered that an Injunction issue as prayed in and by said petition on the petitioner first filing with the Clerk of Allegany County Court, as a Court of Equity, and in such case a bond to the original defendants, Meshack Frost and Isaiah Frost, and to the Frostburg Coal Company, the assignee of said original defendants in the penal sum of three thousand dollars conditioned to perform such decree or order as may be finally passed in the matter of said petition and to pay all such costs and damages as may accrue to the defendants in said petition for injunction and that may result from the granting thereof. The said bond to be executed by the said petitioner with good security to be approved by the Clerk of Allegany County Court. Afterwards to wit, on the nineteenth day of December in the year last aforesaid the Petitioner aforesaid filed in the cause, his bond with security, approved by the Clerk of Allegany County Court, (which said bond by a subsequent order of the Court was withdrawn from among the papers in said cause). Whereupon in compliance with said order the writ of Injunction was issued in form following to wit:

Allegany County Sct.

The State of Maryland. To Meshack Frost and Isaiah Frost and all others their servants, agents and assigns. The Frostburg Coal Company the assignee or grantee of the said Meshack Frost and Isaiah Frost and Thomas J. McKaig, President of said Company, and Thomas J. McKaig, William W. McKaig, Isaiah Frost and Meshack Frost, Stockholders of said Company and Robert Tenant 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 stock holders of said Company and all other persons now engaged in taking out Coal from the land embraced by the will of Josiah Frost Senior and thereby devised to his three sons Meshack Frost, Isaiah Frost and Josiah Frost Junior respectively, greeting. Whereas, John Young has exhibited to the Judges of Allegany County Court, sitting as a Court of Equity a petition against you Meshack Frost and Isaiah Frost and others for relief in Equity and also petitioned to restrain and enjoin and strictly prohibit you Meshack Frost and Isaiah Frost and all others, their servants, agents and assigns, The 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 Tenant 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, servants, laborers, engineers, assigns and Stockholders of said Company and all other persons now engaged in taking out Coal from the land embraced by the will of Josiah Frost, Senior, and thereby devised to his three sons Meshack Frost, Isaiah Frost and Josiah Frost Junior, respectively excepting that portion thereof which was sold by John Neff to J. L. Skinner, which is mentioned and described in the deed from the said John Neff and others to Charles Williams and Charles Harryman of the City of New York bearing date 13th September 1835 mentioned and referred to in said petition, until there shall be effected a partition of the same between the said Meshack Frost and Isaiah Frost and the said John Young, according to the decree referred to in said partition 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 & bringing to a full and final close, the said cause, whether by partition or otherwise. We therefore do hereby command and restrain and enjoin and strictly prohibit you Meshack Frost and Isaiah Frost and all others your servants, agents and assigns, the Frostburg Coal Company the assignee or grantee of said Meshack Frost and Isaiah Frost and Thomas J. McKaig the President of said Company and Thomas J. McKaig and William W. McKaig, Isaiah Frost and Meshack Frost Stockholders of said Company and Daniel C. Bruce the general agent and Superintendant of said Company and Robert Tenant 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 engaged in taking out Coal from the land aforesaid, that from henceforth you and each of you do absolutely cease and forbear and desist from taking out Coal from the land embraced by the will of Josiah Frost Senior and thereby devised to his three sons, Meshack Frost