purchased them from Meshack Frost. Sworn before. William Taylor Jr.

My surveys were made for the purpose of ascertaining various particulars relative to the coal viz:

First. The direction and rate of the transverse dips.

Second. The longitudinal dip if any and its direction and rate.

Third. The Level course or that line on or parallel to which it would be proper to drive the main entry and gangways or to conform as near as may be.

Fourth. The extent of the Coal on the property.

Fifth. The Cover at various points. and

Sixth. – Consequent on the first, second and third points whether there is any body of Coal lying below the mouth of the present openings. on the Jennings run side. Under some circumstances it would have but to note the quality and thickness of the Coal, but these are points, that can or will be spoken of by others and I therefore omitted them.

It is hardly necessary to remark that Coal usually lies in solid beds, lying beneath the whole surface of the Coal fields, except where it has been broken up and removed by floods or other natural causes, fortunately for this purpose, the property is all underlaid by the 10 foot coal, except where it has been removed by the hand of man.

My first step was by surveying such a compass to fix the position of the Coal at all accessible points, on a plane surface like a map, and for this I went to every part of the property where it could be seen and to all the adjacent mines, next I proceeded to ascertain the level of each point so fixed. In getting these, I ascertained the extent of the Coal and amount of cover on it at several points or in other words to what depth it would be necessary to sink in order to reach it. of course this last information is approximate true for all practical purposes. The information sought under the second head was whether there was any depression of the Coal towards the South west so great as to prevent convenient drainage and consequent working of the mines from the present openings. In this wish I was defeated by the fact disclosed that there was no point in the proper direction for four miles at least where the Coal could be seen although it was accessible by boring the expense and delay of that method at any suitable point was so great as to exclude it from adoption.

The importance of these enquiries will be seen at once when it is stated that until recently ascertained by this survey in connection with others, the axis of the basin on that line towards which the Coal dips from East and West was matter of dispute and uncertainty within a range of a mile & more. Although such is not assumed for the Coal as to fix its position within a few feet, yet it is proved that it has a certain section which will enable a practical man to find it by putting the Key in his hands. This Key is the position and shape of the axis with the rate of slope on east and west sides of it.

I suppose that all the Coal in question dips to the East. This may be stated as a general fact without being impaired by the local irregularities such as are found in every Coal working. This is a valuable feature and simplifies the labors of a division in this respect. In the absence of information on the second point, it is possible that a map of Coal greater or less, may lie below the level of the old mine. But if so, it is still accessible by drifting, and the drift when made, will be the outlet of a very great body of Coal, subject to the same conditions of draining and working, as I have already stated there is no outlet to the South West for several miles.

But the probability is that the course or line to which

it is desirable to conform as nearly as possible, is nearly parallel with the South Eastern limit of the property, this considered in connection with the right of entry reserved under the sale of Neff to Harryman & Williams places this part of the Coal in as favorable a condition for working as any other.

Rate of dip to the South East. Assuming the level course to run South 30° West, to which it conforms very nearly the line of greatest descent or dip will be about South 60° East and for the points named below is as follows.

In Frostburg Co. Mines	5 feet in the	100 feet.
James Percy's Mines	7. 5 "	" 100 "
From Hutchinson's to Laymans' old mine	10 "	" 100 "

The Cover at various points is as follows.

Station No. 2	On the map	—
3	"	—
4	"	—
5	Near Kirby's house at Summit	275 feet.
6	do do	265 "
7		260 "
8	at Chesnut Oak Stumps	210

Th. Ch. Atkinson

On the back of the foregoing Report is the following endorsement to wit.

"This Testimony filed with the Commissioners as evidence by agreement of parties. The Surveys having been made by request of parties. August 21st 1848.

G. A. Pearre. C. C. McCulloh for Complainant

Thos. J. McKaig Wm. Price Jobs for Defendants."

State of Maryland. Allegany County to wit. On this 18th day of October 1848 before me the Subscriber a Justice of the peace of the State of Maryland in and for said County, personally appears Peter Uhl of said County and makes oath on the Holy Evangelly of Almighty God. that he removed to the Town of Frostburg in the month of April 1824 having in the previous month of January purchased from Isaiah Frost a Lot and a half of ground lying in said Town and on the North of the National road. That he commenced improving the same at the time of his removal to said town and built the house in which he has continued to reside ever since and still resides. That about Twenty years ago as he thinks he purchased an additional three quarters of an acre. That afterwards and about Eighteen Years ago or thereabouts and again about Sixteen years ago or thereabouts he made other purchases and last of all about twelve years ago he again purchased another piece of land from the said Isaiah until his purchases in all amounted to six acres and upwards which he still holds and possesses. This deponent further makes oath that when he first came to Frostburg to reside, John Neff resided adjoining the said town and continued to reside there until about ten or fifteen years ago, when he removed to the place of his present residence which is about two miles from said Town. That the said Neff and this deponent were upon very friendly terms and were very often together. That the said Neff well knew of all the purchases made by this deponent as aforesaid, and never mentioned or intimated to this deponent that he had any right or claim to the Coal in the land so purchased by this deponent. If he had done so this deponent would have withheld from the said Isaiah Frost, a sufficient portion of his purchase money to meet and cover said claim.