signed by the Counsel of the respective parties marked "G. & P." and filed on the Fourth of October 1848. and designated on the plot thereon referred to; or for the Coal under any part of said Lots.

George A Pearre
Solicitor for complainant.

And afterwards to wit, On the twenty sixth day of October in the year last aforesaid, The Court passed a decree in said Cause in the words following to wit.

John Young
vs.
Meshack Frost
Zaiah Frost and
others

No. 585. Chancery.

This cause standing ready for hearing and being submitted, and exceptions having been taken by the Complainant to the return of the Commissioners appointed to make partition of the Coal under the land mentioned in the proceedings, as allowed by the rules of this Court, the proceedings were read and considered.

It is therefore this 26th day of October 1849 by Allegany County Court, sitting as a Court of Equity. Adjudged, Ordered and decreed that the exceptions filed by the Complainant to the return of the Commissioners, be and the same is hereby overruled, and it is further ordered and adjudged, that the return of the Commissioners appointed to make partition of the Coal under the land in the proceedings mentioned and the partition thereof by them made be and the same are hereby ratified and confirmed. And it is further Adjudged. Ordered and decreed that the Complainant John Young shall hold in severally and not jointly or in common with the other parties to this suit, all the Coal under the land in the proceedings mentioned which is specifically set apart to him and described in the return of the aforesaid Commissioners, and the plat accompanying the same, as specified by surface measurement by the meter and bounds following to wit.

Beginning at the end of thirty five feet on the fourteenth line of the outlines of the whole tract as shown on the plat returned by the Commissioners and running thence South 46¾° West 1135 feet. to a stake; South 56¼° West 1225 feet to the Centre of Water Street extended, and with the Centre of Water Street South 88° West 409 feet; South 30½° West 90 feet, South 50° West 940 feet; then croping Water Street, North 40° West 16½ feet to a point on the front line of Strattons Lot 25 feet from the South East Corner thereof then across the lot North 53¼° West 174 feet to a stake standing at the North West Corner; then North 81° West 1410 feet to the end of 465½ feet on the first line of the outlines of the whole tract, and with the said outlines South 18° East 1000 feet; North 81° East 297 feet, North 81° East 123½ feet; North 82½° East 490 feet, to a stake marked "E" then leaving the outlines of the whole tract North 29½° East 124 feet to the North side of "Second Alley" and with it North 58° West 144 feet, North 44° West 181 feet; North 40° West 390 feet, to the South East side of Water Street, and with it South 50° West 16 feet to the West side of "Second Alley," and with it South 40° East 393 feet, to the North side of South Street, and with it South 50° West 838 feet to the South West Corner of the twelfth lot, numbered from "Second Alley" then north 40° West 198 feet to the North West Corner of the said then with the South East side of Water Street, North 50° East 1050 feet, to the South West side of the National Road, and with it South 38½° East 260 feet to Frosts' lot then running around and including it. South 50° West 162 feet, South 40° East 55 feet, North 50° East to the National road, and with its South West side, South 38½° East 140 feet, South 54¾° East 550 feet to the outlines of the whole tract, then North 82½° East 80 fourty feet to the North East side of the National Road, and with it North 54¾° West, 600 feet, North 38½° West 450 feet to the South side of Water Street and with

it North 50° East 140 feet, to "First Alley" and with its West side South 38½° East 590 feet, South 30° West 100 feet to the National Road, and with it South 54¾° East 16 feet then with the East side of first alley North 30° East 116 feet North 38½° West 610 feet to Water Street, and with its South side. North 50° East 70 feet North 30½° East 90 feet North 88° East 270 feet, to the North East Corner of Welch's Lot. then with the Outlines of the town lots South 28° East 231 feet, South 57½° East 297 feet, South 55° East 349 feet, North 79° East 369 feet to the centre of the "Little Turnpike" and to the end of 67 feet on the right line of the outlines of the whole tract, and with said outlines. North 38° East 147½ feet. North 59½° West 181½ feet. North 47¾° East 221 feet. North 30° East 684 feet North 41° East 495 feet, North 19½° East 674 feet, North 80½° West 35 feet to the beginning. And it is further adjudged Ordered and decreed that Meshack Frost, one of the Defendants shall hold in Severally and not jointly or in common with the other parties to this suit, all that part of the Coal under the land in the proceedings mentioned which is specifically set a part to him, and described in the return of the aforesaid Commissioners, and the plat accompanying the same as specified by surface measurement by the meter and bounds following to wit. Beginning at the beginning of the part allotted to John Young and running thence with it, South 46¾° West 1135 feet to a stake, South 56¼° West 1225 feet to the centre of Water Street extended and with the centre of Water Street, South 88° West 409 feet, South 30½ West 90 feet, South 50° West 940 feet, then croping Water Street, North 40° West 16½ feet to a point on the front line of Strattons Lot 25 feet from the South East Corner thereof; then across the lot North 53¼ West 174 feet to a stake standing at the North West corner then North 81° West 1410 feet to the end of 465½ feet on the first line of the outlines of the whole tract, then leaving John Youngs portion, North 18° West 465½ feet to a Chesnut Oak Stump, the beginning of the outlines of the whole tract thence South 82½° East 1474 feet to a stake standing at the North East Corner of Hanselli's Lot on the South West of "Second Alley"; then with the lines of the Town Lots, South 50° West 168 feet to the North West corner of Hanselli's said Lot, then South 40° East 651 feet, South 50° West 221 feet to the North East Corner of Strattons lot, and with it, South 40° East 170 feet to the North West side of Water Street and with it North 50° East 400 feet to the West side of Second alley, and with it North 42° West 845 feet to the North East Corner of Hanselli's lot aforesaid then North 50° East 16 feet, then with the East side of Second Alley South 42° East 845 feet to the North West side of Water Street and with it North 50° East 190 feet to the South West side of the National road, and with it North 38½° West 835 feet, to the North East corner of Hanselli's lot lying South west of the National road thence across the National Road, thence across the National road. North 52° East 66 feet, then with the North East side of the National ~~Road~~, South 38½° East 835 feet, to the North west side of Water Street and with it North 50° East 140 feet to the South West side of First alley, and with it North 38½° West 1050 feet. then North 47½° East 16 feet to the North East side of First Alley and with it South 38½° East 1051 feet to the North West side of Water Street and with it North 50° East 60 feet, North 30½ degrees East 120 feet; North 88° East 200 feet to the South East corner of John M'Cullough's lot, then with the lines of the town lots, North 15° West 184 feet, North 36½° West 697 feet, to the end of 170 feet, on the Eighteenth line of the outlines of that part of the whole tract lying North East of the Town of Frostburg, then North 79¼ degrees East 1737 feet to a stake, North 55¾° East 750 feet to the end of 295 feet on the fourteenth line of the outlines of the whole tract and with a part of it reversed, South 80½ degrees