personally appeared Joseph Toney, President pro tempore, of the Cumberland Coal and Iron Company, and Edward P. Lomis, Secretary of the Said Company, and on behalf of said Company acknowledged the foregoing deed to be the act and deed of said Company; and at the same time the said Joseph Toney and Said Edward P. Lomis made oath on the Holy Evangels of Almighty God, that the seal affixed to said deed is the Corporate Seal of the Said Cumberland Coal and Iron Company, and that the same was thereto affixed by the authority and direction of the Board of President and Directors of Said Company.

In testimony Whereof, I have hereunto Subscribed my name and caused the Seal of said Court to be hereto affixed

(Seal) L. B. Woodruff.

State of New York, City and County of New York. SS.

I, George F. Maxwell, Clerk of the Superior Court of New York, a Court of Record having a clerk and seal, do certify that Louis B. Woodruff, whose name is subscribed to the annexed instrument, is one of the Justices of the Said Court, duly commissioned and sworn. And I do further certify, that the said name so subscribed is the genuine Signature of the Said Louis Woodruff.

In testimony Whereof, I hereunto subscribe my name and affix the seal of the Said Court the 1st day of October, 1857

(Seal) Geo. F. Maxwell, Clerk.

State of New York, City and County of New York. SS.

By the Honorable Louis Woodruff, one of the Justices of the Superior Court of the City of New York, it is hereby certified, that George F. Maxwell, whose name is subscribed to the foregoing Certificate, is the Clerk of said Court, and that the attestation thereof is in due form.

Given under my hand at the City Hall, in the City of New York, the first day of October. A.D. 1857.

L. B. Woodruff.

State City and County of New York. SS.

I, John Bissell, a Commissioner for the State and resident in the City New York, legally appointed by the Governor of the State of Virginia to take testimony, acknowledgments, &c. to be used or recorded in that State, and qualified, do under my hand and official Seal, Certify that on this first day of October 1857, before me personally appeared Joseph Toney, President &c. and Edward P. Lomis, Secretary, who being by me duly sworn, severally said, that he resides in the City of New York; that he, said Toney, is the President pro tem, and said Lomis is the Secretary of the Cumberland Coal and Iron Company; that the seal affixed to the annexed instrument is the Common and Corporate Seal of the Said Company, and was affixed thereto by their authority; and that the Said Toney, as President pro tem, and Said Lomis as Secretary, subscribed their names thereto by the like authority and in behalf of said Company, acknowledged said instrument as the act and deed of said Company

(Seal) John Bissell
Commissioner for Virginia



State of Maryland, Allegany County, to wit

On the third day of October, in the year of our Lord one thousand Eight hundred and fifty seven, before the Subscriber, a Justice of the Peace of the State of Maryland, in and for Allegany County, personally appeared George Henderson Junior, the person named in the foregoing deed as the attorney to acknowledge the same, in this County, on behalf of the said Company, and acknowledged the same to be the act and deed of said Company, for the purpose therein mentioned; and now also, at the same time, personally appeared Francis Hodgson, one of the persons of the second part to the said deed and made oath on the Holy Evangels of Almighty God, that the Consideration set forth in said deed is true and bona fide, as therein set forth.

Andrew Sowden J.P.

Maryland, Allegany County, to wit:

I hereby certify that Andrew Sowden, Esquire before whom the within acknowledgment and affidavit were made, and whose genuine Signature is hereto subscribed, was at the time thereof, a Justice of the Peace of the Said State, in and for the County aforesaid, duly Elected Commissioned and Sworn.

In Testimony Whereof I hereunto subscribe my name and affix the Seal of the Circuit Court for Allegany County, at Cumberland, this 3rd day of October, A.D. 1857.

(Seal) H. Resley,
Clerk of the Circuit Court for Allegany County.

We agree that this printed answer of the Hoffman Steam Coal Company of Allegany County, shall be filed in the place and stead of the Original answer, and which was withdrawn by leave of the Court for the purpose of amending the same, by having and affidavit attached thereto; and shall stand in such original answer amended

G. A. & C. B. Thruston
Solr. for Complainant.

March 18th 1859.

And on the day of the filing of the aforesaid answer, to wit: on the Eighteenth day of March in the year Eighteen hundred and fifty nine, the said Allen M. Sherman, William B. Dean and the Hoffman Steam Coal Company of Allegany County by their & its Solicitor aforesaid filed in Court here the following petition to wit

Cumberland Coal and Iron Company
vs
Allen M. Sherman, William B. Dean & the Hoffman Steam Coal Company of Allegany County.
} In the Circuit Court for Allegany County a a Court of Equity.

To the Honorable Thomas Perry, Judge of the Circuit Court for Allegany County as a Court of Equity:

The Defendants Sherman, Dean and the Hoffman Steam Coal Company have filed their separate answers to the Bill of Complaint filed in this Cause, and pray may your Honor to dissolve the Injunction heretofore issued in this case.