by the Cumb The Hoffman Steam Coal Company of Allegany County, And you are further notified that it is intended to continue the Examination of witnesses before the same party, at the same place on behalf of the said Complainant and for the same purpose from day to day up to and until the hour of 5 o'clock P.M. of the 16th day of July instant, unless the Examination of witnesses shall be sooner concluded.

This Notice is now given to you in order that the defendant may attend such proposed Examination of witnesses and cross examine them if desired to do so.

Geo W. Dobbin, Solicitor for the Cumberland Coal and Iron Company the Complainant in the above case.

Baltimore July 5th 1859.

Service of the above Notice admitted this fifth day of July 1859.
Wm Schley Sol. of the Hoffman Steam Coal Company

By agreement of the undersigned Counsel for the parties in the case above entitled it is agreed that the Evidence proposed to be taken under the the above notice, viz testy of being taken before a Justice of the Peace, shall be taken before Frederick Pinkney Esquire Commissioner and shall have the same Effect as if the same had been taken before a Justice of the Peace, upon due notice given.

George W. Dobbin Sol. for Complt
Wm Schley for Hoffman Steam C. Co. of Allegany County.

The Cumberland Coal & Iron Company.
vs.
The Hoffman Steam Coal Company of Allegany County & others

In the Circuit Court for Allegany County Equity No. 1256.

To the Hoffman Steam Coal Company of Allegany County.

Please take notice that at the Examination of witnesses on behalf of the above named Complainant, before Frederick Pinkney Esq. on the 11th instant, you will be required to produce the original deed from Allen M. Sherman & others to you, dated on the twentieth day of August 1858 and recorded in the Land Records of Allegany County in John H. R. Vol. folio 234 &c.

George W. Dobbin Sol. for Complt.

Service of Copy admitted this fourth day of July 1859.
Wm Schley Sol. for Hoffman Co.

Complainants Exhibit R.

At the request of the Hoffman Steam Coal Company of Allegany County this deed was recorded August 21st 1858.

This Deed Made this twentieth day of August in the year of our Lord Eighteen hundred and fifty eight by Allen M. Sherman and Martha P. Sherman, his wife of Orange County in the State of New York and William B. Dean of the City of

New York in the State aforesaid, to the Hoffman Steam Coal Company of Allegany County (a corporation created under the authority of an Act of the General Assembly of Maryland, Entitled An Act to authorize the formation of Corporations for mining purposes passed at January Session 1852 Chapter 322. Witnesseth that Whereas the said Allen M. Sherman and the said William B. Dean became Subscribers for and took Five thousand nine hundred and ninety shares of the Capital Stock of said Company on the express agreement and understanding, that the price of said Shares should be paid for by the Conveyance of certain lands. And the said Allen M. Sherman and Martha P. Sherman, his wife and said William B. Dean being ready and willing to convey, grant, assign and transfer their interest and Estate in the property herein after mentioned, in accordance with the tenor of said subscription, Now therefore this Indenture Witnesseth, that the said Allen M. Sherman and Martha P. Sherman, his wife and the said William B. Dean in Consideration of the premises, and in Consideration also of the undertaking and agreement of the said The Hoffman Steam Coal Company of Allegany County to deliver without any unnecessary delay, the certificates for said number of shares of its Capital Stock Whereon and as soon as the said certificates shall have been prepared for delivery and in further consideration of the covenants herein after Expressed to be performed by and on the part of the said The Hoffman Steam Coal Company of Allegany County, and in further consideration of one dollar, to them in hand paid, the receipt Whereof is hereby acknowledged, do grant, bargain and sell, convey, assign and transfer to the said The Hoffman Steam Coal Company of Allegany County, and its assigns all the right, title, interest and Estate legal or Equitable, in possession, remainder or reversion of them the said Allen M. Sherman and Martha P. Sherman his wife, and of the said William B. Dean and Each of them, of in and to all that piece or parcel of land and premises, with the appurtenances lying in Allegany County, aforesaid containing the quantity of Five hundred and fifteen acres of land more or less which was conveyed to the said Allen M. Sherman and the said William B. Dean by the Cumberland Coal and Iron Company by deed dated the first day of October in the year Eighteen hundred and fifty seven, and which is recorded in Libr. H. R. Vol. folio 234 &c. in the land records in the office of the Clerk of the Circuit Court for Allegany County aforesaid and in which said deed the names of the several tracts, in portions of which, the piece and parcel of land hereby intended to be conveyed is composed, and the courses and distances of the lines thereof are fully stated, as upon reference to the same will appear together with all the rights, members and appurtenances thereto appertaining, and all Easements, and hereditaments therewith right fully held, used or Enjoyed or right fully claimable or Excusable under any of the grants or covenants of the said deed, together also with the benefit and advantage of all Covenants contained in said deed so far as the same are capable of assignment. It being the intention of the parties hereto, to grant, bargain and sell, convey, assign and transfer to the said The Hoffman Steam Coal Company of Allegany County all the Estate