therein set forth

Sworn before me Dec'r 6th, 1852,
J. S. Bosworth,
Judge of the Superior Court of the City of New York

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

I, George W. Riblet, Clerk of the City and County of New York, and also Clerk of the Superior Court for said City and County, do hereby certify, that J. S. Bosworth, whose name is subscribed to the certificate of the proof or acknowledgment of the annexed Instrument and thereon written, was, at the time of taking such proof or acknowledgment, Judge of the Superior Court in and for the City and County of New York, dwelling in the said city, elected and sworn, and duly authorized to take the same. And further, that I am well acquainted with the hand writing of such Judge, and verily believe that the signature to the said certificate of proof or acknowledgment is genuine.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Court, the 6th day of December, 1852.

{L.S} Geo. W. Riblet
Clerk,

State of Maryland — Allegany County — to wit:

I hereby certify the above and aforegoing to be a true copy taken from Liber "H. A." No. 9, folios 140, &c., one of the Land Records of Allegany County, Maryland.

{L.S.} In testimony whereof, I hereunto set my hand and affix the seal of the Circuit Court for Allegany County, this 27th day of January A.D. 1857

T. Resley,
Clerk of the Circuit Court for Allegany Co.

True copy of "Exhibit No. 6" filed in No. 1,286 Cchy.
Test. T. Resley, Clk.

## Exhibit No. 7.

For Exhibit No. 7, see map here.

The separate answer of William B. Dan, one of the defendants to the Bill of Complaint of the Cumberland Coal and Iron Company, against Allen M. Sherman, The Hoffman Steam Coal Company of Allegany County, and this defendant, in the Circuit Court of Allegany County, in Equity, exhibited.

This respondent, saving and reserving all manner of exceptions to the glaring misstatements and many imperfections of said bill, nevertheless, for answer to the same, or to so much and such parts thereof as he is advised it is necessary or material for him to make answer unto, answers and says: that he admits the incorporation of said complainant, and also admits that the complainant own coal lands, a rail road and other property, in Allegany County aforesaid; but as to the particulars alleged in said bill, touching or concerning the coal lands, rail road and other



property of the said complainant, this respondent has no knowledge, information or belief, except to the extent hereinafter specially set forth and stated. This respondent has always been informed and believes, that the complainant has its principal office in the City of New York, as alleged in said bill.

This respondent has no knowledge or information whether the persons who are stated in Exhibit No. 1 of said bill, to have been President and Directors of said complainant at the time therein stated, were such or not, as there stated, except as derived from said Bill of Complaint, and except that he was informed and believes that Andrew Mehaffey was the President of the said complainant, and that William Pitt was then a Director, and he probably in like manner knew at the time of other Directors; but he did not then know that his co-defendant, said Sherman, was then one of the Directors of the complainant, nor did he know this fact, until after the consummation of said purchase, although he has since been informed, and he believes and admits, that said Sherman was one of the Directors of said complainant.

Further answering, this respondent states, that he has no knowledge or belief, and no information (otherwise than by the allegations of said bill, and the truth of which allegations he does not admit,) of any of the alleged proceedings set forth in said bill, and therein charged to have taken place, at various alleged meetings of the Board of Directors of the complainant, and any alleged meetings of the stockholders of the complainant, except only that he has been informed and believes that such meetings of the stockholders of the complainant, the sale, purchase as hereinafter stated, was fully authorized and directed to be made; and he has been further informed and he believes that such sale was made by the Board of Directors to his co-defendant, Sherman and the agreement, under full authority, and was made, as he also believes, fairly and honestly made; and he has further been informed and he believes that the sale and contract for transportation (which were ratified afterwards duly reported in fact duly notified to, and were ratified and confirmed by the Board of Directors, and were knowingly, understandingly and confirmed by the stockholders of the complainant, and this respondent does actually know of their meetings, and of the stockholders at one of their meetings, as fully set forth and stated.

This respondent states that he has no knowledge of the truth of any of the allegations of said bill, and he denies the truth of any of the allegations of said bill, and he denies, to the best of his knowledge, information and belief, fraudulently, in and by said bill charged against or upon the said Sherman, or against or upon the said Mehaffey, personally, or against or upon any other person or persons (other than this respondent) named in said bill, or connected to, or charged against or upon some or another acting on behalf of the complainants, or against or in any Director on behalf of the complainants, or against or
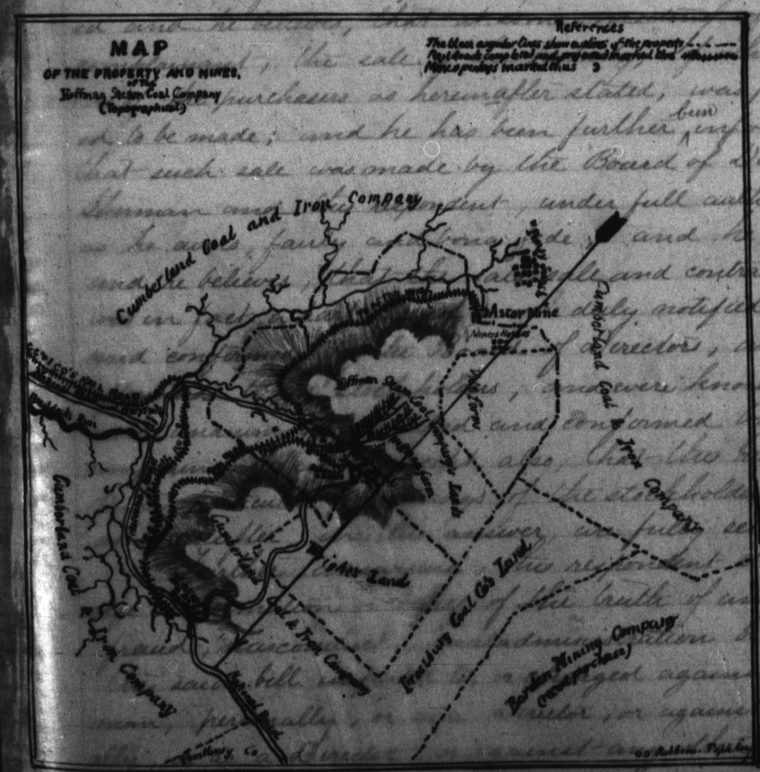
Exhibit No. 7