DeLanney, Selin & Clark,	Joseph Torrey,	Proxy,	1050 shares
Hopkins & Co,	Joseph Torrey,	Proxy,	150 "
A. M. Connochie,	Joseph Torrey,	Proxy,	600 "
Charles Easton,	Joseph Torrey,	Proxy,	600 "
G. J. Forrest,	Joseph Torrey,	Proxy,	600 "
I. Bloodgood,	A. Mehaffey,	Proxy,	201 "
J. I. Covert,	A. Mehaffey,	Proxy,	22 "
Geo. E. Saffin,	A. Mehaffey,	Proxy,	12 "
Cyprus Frost,	A. Mehaffey,	Proxy,	50 "
Henry White,	A. Mehaffey,	Proxy,	200 "
Harvey Weed,	A. Mehaffey,	Proxy,	100 "
Robert Hathenson,	A. Mehaffey,	Proxy,	100 "
David Hathinson, M. Shump,	A. Mehaffey,	Proxy,	28 "
David Hathinson,	A. Mehaffey,	Proxy,	1000 "
Shadrack Smith,	A. Mehaffey,	Proxy,	100 "
Walter Haviland,	A. Mehaffey,	Proxy,	344 "
James Polk,	A. Mehaffey,	Proxy,	200 "
James McCormick,	A. Mehaffey,	Proxy,	100 "
Chas. P. Lee,	A. Mehaffey,	Proxy,	20 "
H. J. Lord,	A. Mehaffey,	Proxy,	5 "
Ho & H. Kinsey,	A. Mehaffey,	Proxy,	100 "
Reverdy Johnson,	A. Mehaffey,	Proxy,	18 "
Henry Hobbs,	A. Mehaffey,	Proxy,	20 "
H. S. Goodrich,	A. Mehaffey,	Proxy,	10 "
Joseph Benjamin,	A. Mehaffey,	Proxy,	100 "
James George,	A. Mehaffey,	Proxy,	150 "
John Clark,	A. Mehaffey,	Proxy,	100 "
Rollins & Haviland	A. Mehaffey,	Proxy,	350 "
R. S. Chidsey,	A. Mehaffey,	Proxy,	50 "

State, City and County of New York, SS.

I, John Bussell, a Commissioner for the State, and resident in the City of New York, appointed by the Governor of the State of Maryland, under the laws, and commissioned under the Great Seal of that State, duly affirmed and qualified to take testimony, acknowledgements, &c, &c, to be used & record in that State, do, by this Instrument, given under my hand and official seal, certify that, at the request of Joseph H. Choate, Esq., of counsel for the Cumberland Coal and Iron Company, as stated in the foregoing papers, and in conformity with a notice in the suit of said Company, dated 29th March, 1859, and served the same day, requiring depositions to be taken before me on the 5th day of the current month, at my office in this city, (which notice is annexed, to certain depositions taken by me in this case,) and took the foregoing depositions, and at the like request now return the same to the Court mentioned in the caption of said notice, viz: The Circuit Court of Allegany County, in the State of Maryland, in the suit of The Cumberland Coal and Iron Company vs. Allen M. Sherman and others.

I further certify that I am the same person mentioned as the Commissioner before whom the depositions mentioned in said notice were to

be taken, and that my office is the same place mentioned in said notice as the place of taking the same, and before whom and at which place they were taken, dated this 8th day of April, 1859.

John Bussell,
Commissioner for Maryland.

State, County and City of New York, SS:

The deposition of Henry M. Benedict, a witness, produced, sworn & affirmed and examinable on the ninth day of April, 1859, between the hours of 9 o'clock A. M. and 6 o'clock P. M., in pursuance of yesterday's adjournment, on the part of the complainant, taken in pursuance of the directions mentioned in a notice annexed to former depositions taken by me in the case, to be used in evidence in the cause or matter therein specified. Henry M. Benedict, of the State of Connecticut, of the age of 38 years, or thereabouts, being first duly sworn to testify the truth, the whole truth and nothing but the truth relating to said cause or matter, and carefully examined deposes and says, that he does business in the City of New York. In June, 1857, I was a member of the firm of Corning & Co. I think I was then a stockholder in the Cumberland Coal and Iron Company. On the first day of June, 1857, we gave a proxy to, I dont know who the individual was to whom we gave it, we gave it in blank, and I think it was to Mr. Sherman, it is filled up to Mr. Sherman; I signed that proxy and filled it up, except the name in blank; that proxy was given for the ~~the~~ purpose of voting at that election; I gave it for voting according to the terms of the power, which are to vote as our proxy at the next election of Directors of the Cumberland Coal and Iron Company; at the time of giving that proxy, I was not aware of there being any other business to be transacted at that meeting than the election of officers and Directors; I had no other intention at the time of giving the proxy beyond the power giving in it; at that time I was not aware of the fact that the Hoffman mines had been conveyed to Sherman and Dean; I was not aware of the transportation contract that had been made with them; I had no knowledge of any of the affairs of Sherman and Dean which have since been alleged to be fraudulent; I have not ratified, or authorized any person for me or for Corning & Co, to ratify the said contract or sale.

H. M. Benedict.

Being cross-examined by Judge Sherman, he says— I am not, nor is my firm, so far as I know, stockholders in said Company; at the time of giving said proxy, our business was the stock exchange and banking business; our ownership of stocks, and their appearance on our books, was changing from time to time, we are not in the habit of attending or giving particular attention to the annual meetings of Companies in which we so held stock; at the time I gave the proxy spoken of, I did not know what business was to be transacted at said meeting, except the election of Directors; I dont remember seeing the call for that meeting; I had no knowledge of it, and paid no attention to it; at the time I delivered said proxy, I put no limit to the authority to be exercised thereunder, except what is expressed in it. I had no other intention than that expressed in the proxy. I think I did not, while I was a stockholder, express any dissent or disapprobation at the