Answer — No sir, I did not see Sherman until I met him in Baltimore, at the time of the organization of the Hoffman Steam Coal Company.

Fourth cross-interrogatory. — When you met Sherman in Baltimore, where did you meet him? Where were the meetings held of the parties to the proposed Company?

To the fourth cross-interrogatory, he answers — At Barnum's Hotel, where we were both staying. The meetings of the parties to the proposed Company were held at Barnum's Hotel.

Fifth cross-interrogatory. — Who attended those meetings, and how many meetings were held there?

Answer — That sir, I am unable to say. I know that I attended one of them, or more; there was one meeting or one assemblage of persons for the organization of the Company, at which I attended. I went there as a spectator; what was being done, and how it was done, in anticipation of the purchase of this stocks, and then it was that Judge Sherman first addressed me, or I him.

Sixth cross-interrogatory. — Try to recollect who was present at these meetings.

Answer. I think sir, Sherman, Dean, and Mr. Shoemaker, whom I then did not know, Mr. Ballard Johnson, whom I then did not know, Mr. Jas. Boyce, whom I then did not know, and I think two or three other persons, whom I do not know, and I think I have never seen since — it is my impression that there were two others there.

Seventh cross-interrogatory. — Was Mr. Schley present at any meeting held in connection with the formation of the Hoffman Steam Coal Company, or had you any intercourse with him, or did you hear him in connection with that subject?

To the said seventh cross-interrogatory, he answers — Yes sir, I think that at a subsequent meeting, Mr. Schley came in; I did not know Mr. Schley at that time.

Eighth cross-interrogatory. — Did Mr. Schley advise as to the formation of the Company, and was the article of association directed or prepared by him?

To the said eighth cross-interrogatory, he answers. — I know he did, that is to say, he made the certificate of organization of the Company, which was ultimately filed in Allegany County. I am very positive he did not then and there advise the Company; and I will state the reasons of my confidence on the subject if you desire it.

Ninth cross-interrogatory. — State the reasons why you think he did not advise the Company?

Answer — Why sir, Mr. Sherman and Mr. Dean, principally Sherman, seemed to have everything prepared, and they did not seem to want any advice.

Tenth cross-interrogatory. — Did not Mr. Schley, upon examining what had been done, object to it as not being in sufficient conformity with the law of Maryland and make a new draft in conformity with his views, and which was ultimately adopted?

Answer. — I have no recollection of that, sir.

Eleventh cross-interrogatory. — Did not Mr. Schley converse upon the subject of the meeting, and state what the requirements of the laws of Maryland were?

Answer. — I have no recollection of that, sir, not that I remember.

Twelfth cross-interrogatory. — What did Mr. Schley do at that meeting?

To the said twelfth cross-interrogatory, he answers. — He seemed to be conferring with at all events, he was conversing with Judge Sherman — I mean to say they were conversing in an under tone.

Thirteenth cross-interrogatory. — When and where was the meeting held, if any such was held, at which the stock was subscribed, and the Deed accepted in payment of

the sales of Sherman and Dean?

Answer. — I think, sir, that the Company was organized on the 19th of August, 1858. I am speaking from memory. And the conveyance from Sherman and Dean to the Company, was made on the 20th of August, 1858. Both meetings were held at Barnum's Hotel.

Fourteenth cross-interrogatory — Who was present at the meeting at which the Deed was delivered, and was any formal vote of acceptance taken, or other act of distinct acceptance of it?

Answer. The incorporators alone; I am very certain that that is so; I am speaking from memory alone; Judge Sherman, and I now recollect Mr. Dean, who was not one of the corporators, was also there; Mr. Dean left pretty soon. I think there was a vote of acceptance taken; my recollection is that I read the Deed very carefully. I first read it to myself, and then read it aloud, and asked if there were any objections to it, that I saw none; it was then formally received and accepted.

The commission was then adjourned to the fourteenth of July, in the same year, at ten in the forenoon, and at the same last mentioned place; at which last mentioned time and place, the commission met pursuant to notice, and proceeded, in presence of the solicitors of the respective parties, to take the following depositions that is to say:

The said S. Brooke Posey, being still cross-examined on behalf of complainants deposeth and saith as follows, that is to say:

Fifteenth cross-interrogatory — How many meetings of the Board of Directors had been held, if any, and when and where?

Answer. — All have been held in the City of Baltimore, but how many I am unable to say, without investigating.

Sixteenth cross-interrogatory. — Was Judge Sherman attended all the meetings of the Board, so far as you know?

Answer. — After the organization of the Company, I think that he did not attend any of them, up to the time of his resignation.

Seventeenth cross-interrogatory. — When you say after the organization of the Company you mean after the meeting at which the Deed was accepted, do you not?

Answer — Well, sir, I mean after the meetings of the 19th and 20th of August, 1858. I may be mistaken in this; I am speaking from recollection. I know he attended the meetings of the 19th and 20th of August, and I have an indistinct recollection of his attending one subsequent meeting.

Eighteenth cross-interrogatory. — Did you or not understand that Boyce, Shoemaker and Johnson were nominal stockholders, made such for the purpose of giving legal effect to the corporation, under the laws of Maryland?

To the said eighteenth cross-interrogatory, he answers. — Never sir, On the contrary, my impression was that all or some of them intended to become large stockholders.

Nineteenth cross-interrogatory How much stock did you subscribe for at the meeting of the 20th of August, 1858? How much did you pay for it, and how?

Answer. — One share sir. I gave a check for 100 dollars for it on the Mechanics Banking Bank of New York, which was paid and the cancelled check returned to me, and the money charged to my account.

Twentieth cross-interrogatory — Was the hundred dollars paid by you ever returned to you or accounted for to you in any dealing with the Company?