Complainant's Exhibit S. B. Postley No 1"

No 12 The Hoffman Steam Coal Company of Allegany County Maryland 300 Shares

(Incorporated August 20th 1858.)

Capital $500,000

This certifies that John A. Green, is entitled to three hundred shares of the Hoffman Steam Coal Company of Allegany County Maryland, transferable only on the books of the Company by him or his attorney, on surrendering this certificate

Shares $100 each

Baltimore, August 20th 1858

S. Brooke Postley, President

H. H. Ballard Johnson, Secretary

Endorsed on back, to wit:

For value received, I hereby transfer a A. S. Barnum, the within three hundred shares of stock in the Hoffman Steam Coal Company. Witness my hand and seal. this day July 13th 1859.

Witness John A. Green {Seal}

Joseph Dorsey.

Shares $100 each

Hoffman Steam Coal The Company of Allegany County Maryland

For value received ..... hereby assign and transfer unto ..... all ..... right, title and interest in ..... Shares in the Capital Stock of

The Hoffman Steam Coal Company of Allegany County

..... in .....

In this case we agree that the printed form of transfer now filed is an example of the transfers of the stock referred to in the testimony of S. Brooke Postley, and shall be treated in all respects as evidence to the same purport and extent, as if said original book of transfers were made part of his return; And it is admitted that the said book contains the printed form of transfer similar to that attached to this agreement.

July 15th 1859

Geo. A. Pearce, Solicitor for Hoffman Steam Coal Company

Geo. H. Dobbin Sol for Complt

" Filed with Commissioner
" July 15, 1859
" Frederick Pinkney
" Comm.

Testimony taken before John Bissell, on the 30th June 1859

{Seal} State, County and City of New York, SS.

The deposition of Lowell Holbrook, a witness produced, sworn and examined on the thirtieth day of June, 1859, at the hour of 10 o'clock, A. M. at my office, No. 11 Wall street, New York, on the part of the defendants, taken in pursuance of the

directions mentioned in the annexed notice, to be used in evidence in the cause or matter therein specified.

Lowell Holbrook, of the City of Brooklyn, of the age of 66 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 in answer to the first question on the part of defendants, propounded by S. A. Marsh Esq. their counsel.

Question by Mr. Marsh — Were you ever the President of the complainant, the Cumberland Coal and Iron Company? If yea, when and for how long a time?

Answer. I was such President. I think I left in June 1854. I don't recollect how long I held the office, or when I was elected to it. My recollections are that I was President two or more years previous to my leaving it.

Question by Mr. Marsh — Did the complainant purchase the property of the Company in Allegany County, Maryland known as "The Maryland Mining Company" and if so, about what time was that purchase made?

Answer — They did, but I cannot recollect the date; but I should think it was 1851 or 1852. I know I was present when it was sold at auction.

Question by Mr. Marsh — Were you President of complainant at that time — the time of the sale?

Answer — I don't recollect. I was then, or soon after that time.

Question by Mr. Marsh — Who bid off said property at the sale at auction?

Answer — I don't remember.

Question by Mr. Marsh — What did that purchase comprise?

Answer — It comprised lands, improvements, buildings, a church, I think; a rail road, steamboats, canal boats — that is all I recollect.

Question by Mr. Marsh — Can you state the quantity of land?

Answer — I think it was over 2.000 acres, but don't recollect the quantity exactly.

Question by Mr. Marsh — Can you state the extent of improvements or the number of buildings upon it, included in the purchase?

Answer — There were several coal mines opened; the number of buildings I do not recollect.

Question by Mr. Marsh — Did the purchase include the village known as the Eckhart Village?

Answer — It did.

Question by Mr. Marsh — Did it include the Eckhart Rail Road?

Answer — It was called the Maryland Mining Company's Road; it is the same road now owned by the complainant.

Question by Mr. Marsh — Did the purchase include rail road equipments, cars, mining cars, engines, and the necessary furniture for running the road?

Answer — It did.

Mr Choate, for complainants, objects to all the questions, as to what the purchase included, inasmuch as it must appear in the Deed of Conveyance.

Defendant gives complainant notice to produce the inventory of the property included in that purchase and the Deeds thereof, and calls upon them for the same.

Question by Mr. Marsh: Did said purchase include horses, mining implements and tools, carts, waggons, and the necessary paraphernalia of a mining village