Question by Mr. Sherman.— Have you any doubt about it?
Answer — I have not.
Question by Mr. Sherman. From your knowledge of the Anthracite coal business, is $3.70 or remunerative or paying price?
Answer — I should think that a very low price, but it is very difficult to answer definitely.
Question by Mr. Sherman — Is the price above mentioned about the present average market price of Anthracite coal, so far as your observation extends?
Answer — I think it is.
Question by Mr. Sherman. Such being the price of Anthracite, what is the practical value of any coal lands in the Cumberland region, in the present state of the coal trade?
Answer — I cannot tell.
Question by Mr. Sherman — Has the price mentioned for Anthracite coal a tendency to exclude from this market to a considerable extent coal from the Cumberland region?
Ans. I think it has of course. Ques. by Mr. Sherman. Will not such exclusion & has not such exclusion a direct tendency to diminish the value of lands in the Cumberland region?
Objected to generally, as before, and specially that it is extremely leading.
Answer. I dont think I can answer that question.
Question by Mr. Sherman — From your knowledge of the past and present cost of coal from the Cumberland region delivered here under the most favorable circumstances, can that coal produced and conveyed here under the most favorable circumstances, heretofore practised, compete with Anthracite, at the price you have named?
Objected to generally, as above, and also that it is grossly leading, and also, that witness has already stated that he has no knowledge of the business since 1854.
Answer. I have no knowledge except from hearsay; since 1854 up to that time it could not.
Question by Mr. Sherman — Are not all those speculative values and estimates by you given in your answers to the questions of complainant, based upon assumptions and suppositions data, which so far as your knowledge or belief extends, without practical verification or foundation in fact?
Objected to — first, as irrelevant, and 2ndly, that it is grossly leading.
Answer — If I understand the question, I should answer, no sir.
Questions repeated several times.— Mr. Sherman awaits a further answer to the questions. The witness states he has no further answer to give.

L. Holbrook

Whereupon the further examination was adjourned to the 9th July 1859, at 1½ o'clock at the same place.

John Bissell
Commissioner

July 9th 1859, 1½ P.M. Pursuant to the adjournment as last above stated, I attended at the hour and place aforesaid. Present, Messrs Silden and Choate, Neither the witnesses or any one on the part of defendants appearing, after waiting one hour the further taking of testimony was adjourned on Monday, the 11th at 2 o'clock P.M. at the same place.

John Bissell
Commissioner

July 11th, 1859, at 2 o'clock. Pursuant to the adjournment as last above stated, I attended at the hour and place aforesaid. Present Messrs. Silden and Choate, and the witness. After waiting fifteen minutes no one appearing for the defendant, and learning from the Clerk of defendant's counsel that Mr. Sherman was out of town and desired an adjournment, I adjourned the further taking till tomorrow, at 1½ o'clock P.M. at the same place.

John Bissell Commissioner

July 12th, 1859, 1½ o'clock P.M. Pursuant to the adjournment as last above stated I attended at the hour and place aforesaid, and waited till 2 o'clock P.M., at which time Messrs Silden, Choate, Marsh, and the witness were present, but Mr. Marsh having an other engagement could not proceed with said examination to day, whereupon by the consent of the respective parties, it was adjourned to the 13th inst., at 9 o'clock A.M., at the same place.

John Bissell
Commissioner

July 13th, 1859, 9 o'clock A.M. Pursuant to the adjournment as last above stated, I attended at the hour and place aforesaid. Present, Messrs Silden, Choate and the witness. After waiting half an hour, no one appearing in behalf of defendant the examination was resumed, as follows

Question by Mr. Silden — Are you able to distinguish on the map before you the location of the Ward property referred to in your testimony, being the property bought by the Borden Mining Company, of John W. Ward?
Answer — I suppose it to be at or very near the point marked thus "Z" lying on Georges creek.
Question by Mr. Silden — Please designate, also, as nearly as you can, the position of the opening of the Hoffman mine?
Answer. I suppose it is designated by the pointed words "Hoffman mine" on the map.
Question by Mr. Silden — Please look at the calculations marked B, and answered, and say whether, assuming the charges marked in the first calculation to be correct, and assuming the distance there stated from the Hoffman mines to Cumberland to be correct, say what advantage per ton the coal brought from the Hoffman mines would have over that brought from the Ward property in the expenses of transportation to Cumberland?
Answer. I think this statement is correct; I suppose about 15 cents per ton.
(Mr. Marsh here came into the room.)
Question by Mr. Silden. — In your judgment, what would be the value per acre of the Hoffman property over an acre of the Ward property, by reason of this difference in the cost of transportation, assuming other things to be the same?
Answer. I suppose from 12 to 15 cents.
Question by Mr. Silden — Please to look at calculation second, in Exhibit B, and state if you believe it to be correct.
Answer — I think it is.
Question by Mr. Silden. — Please state how much, in your judgment, an advantage in the cost of transportation of 5 cents per ton enhances the value per acre of the land?
Answer. About 400 dollars per acre on the great vein of coal.
Question by Mr. Silden. — Is that true of each successive five cents advantage relatively considered?
Answer — It is.
Mr. Marsh, of counsel for respondents, objected to the whole of the re-cross-examination to day, and to proof relating to the Borden mining property, and also to the calculations offered in evidence
Question by Mr. Silden — From your knowledge of the Ward property referred to in your testimony, and of the coal basin, please state in what manner