Dec. 20th 1860. G. A. & C. B. Thruston, } Solrs for Complt.
Geo. A. Pearre, } Solr. for Respondents

And afterwards, to wit, on the twenty-seventh day of December, in the year last aforesaid, commission issued to Frederick Pinkney, Esq. in form following to wit;

Maryland Allegany County Set:

{Seal} The State of Maryland, to Frederick Pinkney Esquire, of Baltimore City, in the State of Maryland; Greeting;

Be it known that you are appointed commissioner to examine witnesses in a cause depending in the Circuit Court for Allegany County between, The Cumberland Coal and Iron Company Complainant, and The Hoffman Coal Company, A. M. Sherman and others, defendants: Therefore you are requested, having first taken the oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend the execution of this commission; that at such time and place as to you shall seem convenient, you cause to come before you, all such witnesses as shall be named or produced to you, by either the complainant or defendants, and that you examine them upon their corporal oaths to be by you administered on the Holy Evangely of Almighty God, touching their knowledge or remembrance of anything that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their attornies, of the execution of this commission, before you execute the same; and having reduced the depositions of the witnesses, so taken by you, into writing, you send the same, with this commission closed under your hand and seal to the said Circuit Court, with all convenient speed. Witness the Honorable Thomas Perry Esquire, Judge of the said Circuit Court the 8th day of October 1860. Issued the 27th day of December 1860.

H. Resley, Clerk of the Circuit Court for Allegany County, Maryland.

Commissioner's Oath

You shall according to the best of your skill and judgment, truly, faithfully and without partiality to any or either of the parties, take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of the commission hereunto annexed, upon the interrogatories now or which may hereafter, before the said commission is closed, be produced to and left with you by either of the said parties: So help you God.

And afterwards, to wit, on the seventh day of January, in the year eighteen hundred and sixty-one was filed in Court here the following agreement to wit.

The Cumberland Coal & Iron Company against Allen M. Sherman William B. Dean and The Hoffman Steam Coal Company of Allegany County.	In the Circuit Court for Allegany County as a Court of Equity. No 1256 Equity.

In this case it is agreed to commence taking evidence for final hearing, in the City of New York before the commissioner appointed for this purpose on the first Monday of February 1861; the complainant to commence with its evidence and the defendants to proceed with any evidence which they may desire to take; all further notice as to the time of taking this testimony as now agreed upon, having waived.

G. A. & C. B. Thruston } Solrs for Complainant
Thomas Devecmon } Solr for Defendants

And afterwards to wit, on the seventeenth day of May in the year last aforesaid, was filed in Court here the following agreement, to wit:

Cumberland Coal & Iron Company against The Hoffman Steam Coal Company of Allegany County, Wm. B. Dean Sal	In the Circuit Court for Allegany County, as a Court of Equity No 1256.

In this case we agree that a commission to take testimony for the final hearing of this cause, shall be at once issued to James J. McHenry of Allegany County. That said commissioner shall proceed without further or other notice, on the first Tuesday of June next, the fourth day of June, to take the testimony of witnesses produced by the complainant and afterwards of witnesses produced by the defendants, before him.

Geo. A. Thruston
Atty for Complts
Thomas Devecmon
Geo. A. Pearre
Sols for Hoffman Steam Coal Co

And thereupon issued commission, in the words following to wit:

Maryland, Allegany County, Set:

The State of Maryland to James J. McHenry of Allegany County in the State of Maryland Greeting

(Seal)

Be it Known, That you are appointed Commissioner to examine witnesses in a cause depending in the Circuit Court for Allegany County between The Cumberland Coal and Iron Company, Plaintiff and The Hoffman Steam Coal Company of Allegany County & others, Defendants

Therefore, you are requested, having first taken the oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend the execution of this commission, that at such time and place as to you shall seem convenient, you cause to come before you, all such witnesses as shall be named or produced to you, by either the plaintiff or defendants and that you examine them upon their corporal oaths, to be by you administered on the Holy Evangely of Almighty God, touching their knowledge or remembrance of anything that may relate to the cause aforesaid; and having reduced the depositions of the witnesses, so taken by you, into writing, you send the same, with this Commission, closed under your hand and seal to the said Circuit Court, with all convenient speed.

Witness, The Honorable Thomas Perry Esquire, Judge of the said Circuit Court, the 8th day of April 1861. Issued the 17th day of May 1861

Horace Resley Clerk
of the Circuit Court for Allegany County Maryland