2d Int. Were you ever, and if ever, when first, a stockholder in the Cumberland Coal and Iron Company?

Answer. It was either the fall of 1856, or spring of 1857, that I became such stockholder.

3d Int. Were you ever, and if ever, and when, elected a Director of that Company?

Answer. I was elected a Director of that Company on the first of June 1857.

4th Int. Did you attend the annual meeting of stockholders of June 1st 1857, at which you were elected such Director?

Answer. Yes sir.

5th Int. Before you attended such meeting, and after you became such stockholder, had you been informed of the fact that a sale had been made of some of the complainants' coal to Sherman and Dean, and that a contract to transport coal therefrom had been made with them?

Answer. Yes, sir.

6th Int. Had you before attending such meeting, and after becoming such stockholder, heard any suggestions or statements made as to the propriety and fairness of such sale by any, and — by any, by what persons, and what had you in substance so heard?

Answer. Yes sir; I must state it in substance, for I can not recollect the exact language.
I heard sir, that there was something wrong in that sale, and that some undue advantage had been taken by Sherman & Dean. I think it is my impression that it was talked of by, I believe Mr. C. L. Vose & others; the conversation took place with me in Wm. and John O'Brien's office, brokers in Wall street, New York, and in the street.

7th Int. Were you then personally acquainted with either Sherman or Dean?

Answer. I was acquainted partially with Mr. Sherman. I do not know Mr. Dean, that I recollect.

8th Int. To what extent were you at that time, acquainted with Mr. Sherman?

Answer. By meeting with him, occasionally at the Cumberland Coal and Iron Company's; my acquaintance with him was very limited.

9th Int. What effect did these statements, as to the fairness of the transaction produce upon your mind before you became a Director, or attended the annual meeting of June 1st, 1857?

Answer. Why it was very unfavorable as regards to Sherman & Dean.

10th Int. At whose solicitation or suggestion did you attend the annual meeting of stockholders of June 1857, and what object had you if any, in going there?

Answer. It was Mr Vose and I think also John O'Brien who suggested I should go there; I think it was principally Mr. Vose who suggested it; it was talked about in Wm. and John O'Brien's office.
I went to the meeting with a view to elicit any information or facts which might be brought before the meeting which might tend to the affairs of the Cumberland Coal and Iron Company; and with a view to examine into the sale and contract of the Company's property to Sherman and Dean.

11th Int. What did you suppose could be done with reference to that contract and sale if it should turn out at that meeting that they were unfair and improper?

Answer. Why if it was right, to ratify and approve it; and if it was wrong, to break it up, or anything else.

12th Int. Were you present at that annual meeting at the time it was called to order and organized, and from thence until its adjournment?

Answer. Yes, sir.

13th Int. What was first done at said meeting after it was organized?

Answer. Mr. Grosvenor called for the contract and deed, and the report for the year ending June, 1856. The deed was read, and the contract was also read, and they were discussed. The amount of lands that had been sold to Sherman and Dean was also discussed, and the consideration paid, and whether it was an advantageous sale for the interest of the Company?
Considerable discussion arose with regard to that contract and deed, and they finally resolved to ratify that sale, to approve the sale, which I think they did unanimously.

14th Int. On whose motion, to the best of your recollection, was that resolution adopted?

Answer. I think, sir, it was Seth Grosvenor's.

15th Int. Upon the adoption of that resolution, did the meeting next proceed to the reading of the report for that year, and to the election of Directors, and were you elected one of said Directors?
(Objected to by complainant's solicitor as being a leading question.)

Answer. Mr. Wheeffey, the President, submitted the report ending 1st June 1857, which was submitted and adopted or approved I think. There a motion was made to go into the election of a President and Directors, and inspectors were appointed to take the votes. The election went on, and I was elected one of the Directors.

16th Int. After this was done, was the subject of the sale to Sherman and Dean, and the transportation contract again brought before the meeting, and if yea, on whose suggestion, and what was said and done in reference thereto?
(Complainant's counsel objects to this question as leading step by step on a theory assumed by counsel)

Answer. Yes sir; the contract was called up; who called it up I do not know but was told it was Dr. Beadel; I did not know the gentleman's name who called it up, but was told his name was Dr. Beadel.
The turn-out and the sidings to the Hoffman mine embraced in that were objected to, as the Company might be put to additional expense in building other sidings under the provisions of that contract.
The question came up, it appears to me something about the elements pertaining to water or drainage, or additional expense the Cumberland Coal and Iron Company might be put to, to construct other sidings, or be put to expense without sufficient limits; I can not recollect the precise language.
Judge Sherman very readily proposed to execute a release to the Company as to those portions which were objected to on the part of the meeting, and a meeting was appointed to receive and accept such release on the part of the stockholders.

17th Int. At that annual meeting whilst the deed or transportation contract were under consideration, did Judge Sherman make any other