him in regard to the property, I thought he wanted to get rid of the property, that he was desirous of getting rid of it.

5th Int. Was Cornelius Baker a member of the Board of Directors of the Company whilst you were a member, and to what extent did he participate in the management of the Company's affairs?

Answer. I would rather be excused from saying any thing about Mr. Baker; we were not on friendly terms, but I think he acted for the interests of the Company and did what he could for its interests. He cooperated in promoting the interests of the Company as a director.

5th Int. Did he look into the books & affairs of the Company, and was he active or not in its affairs?

Answer. He was; and did examine the books, and always attended the meetings of the Board promptly as far as I could judge.

5th Int. Who drew the report of the Committee that visited the Cumberland mines as you have stated?

Answer. My impression is that it was Mr. Hughes, one of the Directors.

The commission was then adjourned until the sixteenth day of April, in the same year, at ten o'clock in the forenoon, and the same place, at which last mentioned time and place the commission met, pursuant to notice, and proceeded, in the presence of the solicitors of the respective parties, to take the following depositions, that is to say:

Elisha H. Sherman, being examined on the following cross interrogatories to him propounded on behalf of the complainant, makes oath, deposeth and saith as follows, that is to say:

1st Cross-Int. Had you taken any active part in the affairs of the Cumberland Coal and Iron Company, at any time before you were elected a Director?

Answer. Yes, sir.

2nd Cross Int. When, and in what capacity?

Answer. As a stockholder, in the fall, I think of 1856.

3d Cross-Int. When did you purchase your stock, which you held at the time you were elected a Director?

Answer. I do not recollect the precise time; but it was some time previous, some months previous.

4th Cross Int. Have you stated as fully and correctly as you are able to remember, the nature of the discussion which took place at the stockholders' meeting of June 1st, 1857?

Answer. I think I have.

5th Cross Int. Was any other objection made at that meeting to the deed and contract than those you have stated, according to your best recollection?

Answer. Not that I now recollect.

6th Cross Int. Mr. Mehaffey stated in his testimony, that the deed and contract were read at that meeting, and they were read but once; is that

your recollection on that subject?

Answer. I recollect nothing but what I have stated.

7th Cross-Int. You don't recollect then that they were read twice?

Answer. I recollect nothing but what I have stated.

8th Cross-Int. In answer to interrogatory 16th in chief, you stated that a committee was appointed at that meeting, to receive and accept for the stockholders a release from Sherman and Dean of certain privileges; be good enough to state the names of the persons composing that committee?

Answer. At the stockholders' meeting? I do not now recollect their names.

9th Cross Int. Are you certain that a committee was appointed at that meeting for the purposes you have mentioned?

Answer. Yes sir.

10th Cross-Int. Can you not mention the name of any one person of that committee?

Answer. I recollect none of their names at present.

11th Cross Int. Do you know how the committee were appointed, whether nominated by the meeting or appointed by the chairman?

Answer. No, sir.

12th Cross Int. Was Mr. Hughes one of that committee, according to your best recollection?

Answer. I cannot say sir.

13th Cross Int. Was Mr. Lodheal one of that committee which you have stated was appointed at the stockholders' meeting?

Answer. I think not, sir.

14th Cross Int. Was Mr. Riley one of that committee?

Answer. I can not say sir.

15th Cross Int. Were you present at the meeting of the Board of Directors held on the 9th of June 1857, at which the Secretary read the proceedings of Stockholders held on 1st of June 1857, as appears by the minutes?

Answer. I was present at the meeting of June 9th 1857, I have no recollection of the reading or contents of the minutes of the stockholders' meeting of June 1st 1857.

16th Cross Int. It is entered in the minutes that the Secretary read the proceedings of stockholders at the meeting held June 1st 1857, do you not think that you being present at the meeting of the Board of Directors when the Secretary read those proceedings, that if there had been any error in this record of those proceedings, you would have caused it to be corrected.

Answer. I have no recollection of the reading of the record, it is some time since. I have no recollection of the Secretary reading those minutes.

17th Cross Int. My question is, you being present at the Directors' meeting, immediately following the stockholders' meeting, would you not have had those minutes corrected if they