ing liabilities, and on account of such future liabilities as the said Allen M. Sherman may incur as aforesaid, and shall perform all the covenants herein, on the part of said Company to be performed, then this mortgage shall be void

And it is agreed that until default of payment the said Company shall possess the premises, the said Company paying, in the meantime, all taxes on said premises, which taxes the said Company hereby covenant to pay when legally demandable.

And the Cumberland Coal and Iron Company aforesaid, in order to the due acknowledgment and delivery of their mortgage doth hereby nominate, constitute and appoint Geo Hendrickson Jun. of Allegany County, in the State of Maryland its attorney in fact, for the purpose of acknowledging this mortgage as its act and deed and doth hereby authorize and empower him to acknowledge and deliver the same, as its act and deed. In witness whereof the Cumberland Coal and Iron Company aforesaid, hath caused its corporate seal to be hereunto affixed, and this mortgage to be subscribed by the President thereof and attested by its Secretary.

A. McKaffey Pres.
Edwd S. Loomis Secy. (Seal of the Cumberland Coal & Iron Co.)

State of Maryland Allegany County, to wit:

I hereby certify that on this twenty six day of September, in the year one thousand eight hundred and fifty seven, before the subscriber a Justice of the Peace of the State of Maryland, in and for Allegany County, personally appeared George Henderson Jr. who is known to me to be the same person who is named as described as Attorney in the foregoing Mortgage, and acknowledged the said mortgage to be the act and deed of the Cumberland Coal and Iron Company aforesaid.

R. M. Strong, J.P.
in and for Allegany County Md.

"Defendants Exhibit A. M. S. No 5"
"Filed with comm. March 15th 1861"
"Frederick Purkney comm."

"1858 November filed and recorded in Liber"
"H. R. No. 17 folio 325 &c one of the land Records"
"of Allegany County and Exd by"
H. Resley
Clk

Know all men by these presents, That we, Allen M. Sherman and William B. Dean, jointly and severally, for and in consideration of One dollar to each of us in hand duly paid have sold assigned and transferred, and do hereby sell assign transfer and set over unto the Hoffman Steam Coal Company, of Allegany

County, Maryland, and to their assigns forever, all our right, title, interest and advantages, in and to, or secured by, a certain contract made between the Cumberland Coal & Iron Company and us, the said Allen M. Sherman, and William B. Dean, for the transportation of Coal &c. from the Hoffman mines in Allegany County Maryland to the Chesapeake and Ohio Canal, and to the Baltimore and Ohio Rail Road, said contract being dated the 22 day of April 1856

In witness whereof we have hereunto set our hands and seals this 20th day of August 1858.

In presence of
J. B. Varnum &
Jas. C. Phipps

Allen M. Sherman {L.S.}
Wm. B. Dean {L.S.}

State of New York
City & County of New York S.S:

Be it remembered, and it is hereby certified, that on this fourth day of November in the year of our Lord one thousand eight hundred and fifty eight, before the subscriber, a commissioner of deeds appointed by the Governor of Maryland to take acknowledgments of deeds and other instruments of writing to be used or recorded in said State of Maryland, personally appeared Allen M. Sherman, he being known to me to be one of the persons who is named and described as and professing to be a party to the foregoing instrument of writing, and did acknowledge the said instrument to be his act and deed

In testimony whereof I have hereunto subscribed my hand and affixed my seal on the day and year aforesaid.

{L.S.}

Joseph B. Varnum
Commissioner of deeds for the State of Maryland residing in the City of New York

State of New York
City and County of New York. S.S:

Be it remembered and it is hereby certified that, on this twelfth day of November in the year one thousand eight hundred and fifty eight, before the subscriber a commissioner of deeds appointed by the Governor of Maryland, to take acknowledgments of deeds and other instruments of writing to be used and recorded in said State of Maryland personally appeared William B. Dean, he being known to me to be one of the persons who is named and described at and professing to be a party to the foregoing instrument of writing and did acknowledge the said instrument to be his act and deed.

In testimony whereof I have hereunto