of its locality.

Thomas Gemmell, a witness of lawful age, produced on the part of Complainant, being by me duly sworn, in answer to interrogatories and cross interrogatories to him propounded, deposed and said

1st Interrogatory Are you acquainted with the coal region of Allegany County and the mining of the big vein of coal?

Answer. I am.

2nd Interrogatory Do you know where the Hoffman Mine is located and have you ever been at it?

Answer. I know where it is and have passed by it or close to it.

3rd Interrogatory What would be the cost of mining coal and putting it into the large cars at the mines, including miners pay, laying track in the mine and furnishing timber in the mine, superintendance and carriage to and dumping into large cars, where no incline plane, no expense of drainage, and where coal not to be hauled over two thousand feet in the mine, from the point at which it is mined, to the mouth thereof, and exclusive of cost of property, opening mines, and improvements for mining and keeping up dump houses and depots at the mine?

Answer. If the quantity turned out was a regular daily one, I would say, it could be done, with good management, for forty cents a ton, provided the timber be close at hand. If timber had to be brought it might add one and a half cents a ton to that price.

4th Interrogatory. What difference does each mile of distance from market make in the value of each acre of coal land in this region, containing big vein of coal of equal quality for use?

Answer. Supposing freight cost two cents per ton per mile, it would make a difference of one hundred dollars in the value of the product of an acre of coal.

This witness being here cross examined to interrogatories of Respondent, deposed and said

1st Cross Interrogatory. How long since you first acquired any knowledge of the mining of coal in Allegany County?

Answer. Not more than a year and a half ago since I first became acquainted with it.

2nd Cross Interrogatory. Had you any practical knowledge of the coal business in Allegany County prior to a year and a half since?

Answer. No, I had not.

3rd Cross Interrogatory. So far as your knowledge extends what has been the practical value of coal lands in this County, that is what yield per cent, upon cost of lands, improvements and working mines has actually been realized?

Answer. There are so many circumstances affecting the results that no general value can be predicated upon it.

mines favorably situated have, to my knowledge, earned five and ten per cent upon the cost of the property.

4th Cross Interrogatory. Are the circumstances of which you speak, such as are beyond the control of the owners of the mines?

Answer. It depends to a great extent upon the owners of the mines themselves. Some of these circumstances are entirely extraneous.

5th Cross Interrogatory. You state that, to your knowledge, five or ten per cent have been earned at mines favorably situated upon the cost thereof; specify those mines.

Answer. The Hampshire Company's Mines and the Franklin Company's Mines.

6th Cross Interrogatory. Do you know the original cost of the Hampshire Company's mines and improvements?

Answer. I do not know the cost to the original proprietors.

7th Cross Interrogatory. What was its cost to its present proprietors and what is the amount of the capital stock of the Company now owning it?

Answer. I am not absolutely certain. I think the amount of stock now issued is about two hundred and fifty thousand dollars. And the stock I have reason to believe, cost its present owners about fifty cents on the dollar.

8th Cross Interrogatory. What was the amount of the capital stock of the Company that owned it, before the present owners acquired it?

Answer. I do not know.

9th Cross Interrogatory. Did not the Company that originally owned it become insolvent? And was it not purchased by its present owners at the assignees sale of its property?

Answer. I believe they did and the property was so purchased.

10th Cross Interrogatory. Was the percentage earned that you speak of, earned upon the coal to its present proprietors? or do you mean to say that amount was earned upon its original cost to its original owners?

Answer. Upon its cost to the present proprietors.

11th Cross Interrogatory. What personal knowledge have you as to the cost of mines, improvements, &c of the Franklin Company?

Answer. I have no personal knowledge about it.

12th Cross Interrogatory. What personal knowledge have you as to the net percentage earned upon that cost?

Answer. I have no personal or exact knowledge about it.

13th Cross Interrogatory. What is the distance of the Hampshire mines from the Baltimore and Ohio Rail Road?

Answer. The distance is fully a mile, at an elevation of eleven hundred feet above the Railroad.