interest owned in these same lands by Thomas Chalkley Atkinson, deceased; if so when and what price per acre?

Answer. I bought one sixth of Chalkley Atkinson interest in April 1860, for seven hundred and one dollars, which is between sixty four and sixty five dollars per acre, at sale of trustee under a decree in Equity for the payment of debt.

22d Cross Interrogatory. Was not this purchase made subject to the dower of Chalkley Atkinson widow and did you not subsequently purchase out the widows interest?

Answer. It was sold subject to the widows dower, and I bought out the widows dower for which I paid one hundred and seventy-five dollars.

23d Cross Interrogatory. How much further from Cumberland by railroad, is this property, than the Hoffman Company's property?

Answer. To continue the Eckhart road from the Hoffman mines, five miles further.

24th Cross Interrogatory. How much further by the means of communication now existing?

Answer. The difference would be between six and seven miles further than the Hoffman property.

25th Cross Interrogatory. Was the purchase you made of Atkinsons interest in the property above named, upon credit? And if so, upon what terms?

Answer. The terms I think were, one third cash, one third in one year and one third in two years.

This witness being here re-examined by Solicitor of Complainant deposed and said.

1st Interrogatory. In your answer to the 23d & 24th Cross Interrogatories you say you bought the land at about sixty-five dollars per acre, and that you subsequently purchased out the widows dower for one hundred and seventy-five dollars, did not said widow sell you her interest therein, confessedly at a low price, to assist in saving you from an anticipated loss, by reason of your suretyship for her late husband? And would you not have bid much more for the property than the price at which you bought it? and was not this fact known to the other bidders at said sale?

Answer. I cannot say positively of my own knowledge what the widow thought. but I would have given more for her dower, rather than anyone else should have got it and would have given double more than I did for the dower from the house, rather than any stranger should get it, I do not know that other bidders knew that I would have bid more for it.

2d Interrogatory. Is the land you speak of in your answer to the 22nd Cross Interrogatory, all underlaid with the great vein of coal? And was it when originally purchased, as you state in

your testimony, or is it now accessible to market by any railway or canal on which coal can be carried to market?

Answer. Two thirds only are underlaid with the great vein of coal. It was not when I purchased it, in 1853, accessible by any railway or canal; but now it is easily approached by a lateral road from the Cumberland & Pennsylvania Rail Road, one mile and a half south of Frostburg, one and a quarter miles would bring it to the coal mines at any time we think it desirable to build such lateral road, The Cumberland & Penn Rail Road was constructed at the date of my late purchase of Thomas C. Atkins sons interest.

21st Interrogatory. What is the distance between the Hoffman mine openings and the nearest point where the big vein coal could be opened on that point of "Commonwealth" bought by Varnum and Aspinwall? and how much further is your opinion, would the latter be from market, than the former by a railroad which could be built, so as to make the latter accessible, by the shortest distance?

And how much by existing railways in such nearest point of "Commonwealth" further from market than said Hoffman mine openings are?

Answer. The distance is about three miles, The present railroad of complainant could be extended "Commonwealth" at a distance of five or six miles from the Hoffman Hollow mine, five or six miles by railway is the least difference of distance by which "Commonwealth" could be made accessible to market, more than Hoffman's is distant from market. The nearest point of "Commonwealth" where big vein coal could be opened, is between seven and eight miles further from market, by existing railways, than the Hoffman mine openings are.

22nd Interrogatory. Are you or not sufficiently well acquainted with the property claimed by the Hoffman Steam Coal Company in this case, to state positively how the whole of it is situated with reference to said National turnpike road? whether north or south of said road in whole or in part?

Answer. I am satisfied that all of the said Hoffman property where the great vein exists, is all south of the National road.

23rd Interrogatory. In your answer to the tenth and eleventh cross Interrogatories, you state that you consider the Hoffman Company's property more valuable than the Ward property, acre for acre, do you there speak of the value of said Hoffman property independent of any value given to it, by the transportation contract marked "Exhibit B" of the bill?

Answer. I consider the said Hoffman property acre for acre, where the coal exists, of greater value than the Ward property, irrespective of contract in carrying coal to market