by said Hoffman Company.

24th Interrogatory Will you state how the slate commonly called the breast slate, affects the value of the big vein of coal, where it exists and whether it has been found practicable, in mining the same, to free the coal from it? so as not to affect its market value?

Answer. The difference has been considered in market, twenty five cents a ton in favor of the Georges Creek region over the Frostburg region; owing to the breast slate being in the northern portion of the Frostburg region.

25th Interrogatory. Does this breast slate exist in the big vein of coal on the Hoffman Company's property?

Answer. It does not.

26th Interrogatory. Does the breast slate exist in any part of the coal land of Complainant, accessible by or through its Eckhart mine & Slope mine? And if yea, state where, and to what extent.

Answer. It does exist for about half a mile from mouth of Eckhart mine towards Hoffman property. In Slope mine it extends about a third of a mile towards Hoffman property.

27th Interrogatory. Please state how such breast slate exists in said property of Complainant, so accessible to said mines in reference to the National turnpike road?

Answer. All that part of complainants property lying north of the national road, contains the breast slate from four to six inches, and increased to eight or ten as you go north.

This witness being here re-cross examined by Respondents, deposed and said

28th Cross Interrogatory. Have you any knowledge of the opening of the Astor mine by complainant? If yea, state what instrumentality you had in opening it — when was it opened — and why? Please answer this question particularly.

Answer. I was manager of the Cumberland Company's mines at the time the Astor Mine was opened. They had various reasons for opening it — one of those was to get a choice article of coal to market to give credit to the lands belonging to said Company, with a view of condensing their whole interest into one Company, now known as the Cumberland Coal and Iron Company. It was opened in 1854 to the best of my knowledge.

29th Cross Interrogatory Had the Hoffman Mine at that time been opened.

Answer. It was not opened.

30th Cross Interrogatory. How does the quality of the coal in the Hoffman and Astor Mines compare? Which is superior?

Answer. I believe the Astor coal is superior to the Hoffman at the present opening, but the Hoffman Slope as you approach the Astor will produce coal equal to the Astor.

31st Cross Interrogatory. Had not the Complainant before 1856 in its Eckhart mine and Slope mine, worked entirely beyond the breast slate you have spoken of?

Answer. The Eckhart mine was entirely worked beyond the breast slate in 1856, except a few support pillars that were afterwards taken out. The Slope gallery, a greater part of its workings south, was free of the breast slate



32nd Cross Interrogatory. Do you know the location of the Hoffman Slope?

Answer. I do.

33d Cross Interrogatory. In 1856 had the Complainant through its Eckhart mine and Slope mine, worked out all or nearly all the coal up to the line of the present Hoffman Slope, in that part of the Eckhart property, between which and said Slope the lands of Wright did not intervene?

Answer. To the best of my knowledge the greater part of the old Eckhart Coal was worked out towards the Hoffman Slope and they had to pass through a point of Wright's property running east, in the shape of a "V". In the Slope gallery I am not able to state how farthing had progressed towards the Hoffman Slope in 1856.

34th Cross Interrogatory. Had not the complainant in 1856 worked the Eckhart Slope up to the line of Wright's land or nearly so?

Answer. From my own knowledge I do not know.

35th Cross Interrogatory. Do you know the property of complainant, known as the Old Frost Mine property? If yea, describe its location and how many acres of the great vein it contains.

Answer. I do know the property of the Complainant known as the Old Frost Mine. It lies at the head waters of Jennings Run and is known also as the Col. Young mine adjoining the McCullch property, outlet to said McCullch or at least a portion of it. It was considered to contain in 1856 about forty acres of great vein of coal.

36th Cross Interrogatory How many tons per day could in 1856, be taken out of the complainants Eckhart and Slope mines if worked up to their then capacity?

Answer. If the coal had not been nearly all worked out of the Old Eckhart mine and as I left it in 1858, and both Slope and Eckhart mine had been worked to their almost capacity, fifteen hundred tons might have been produced per day, by working part in the night

37th Cross Interrogatory You have stated that you would have paid a larger sum than you did, for the interest of Atkinson in the property before mentioned, rather than have had another person purchase it. State if you please whether you think you did not give a fair price for it.

Answer. I gave a price equal to the gentlemans house that