for the bevel wheels — and also a pattern for the pinion wheel.

8th Interrogatory. Whatever all of the same worth? State as near as you can.

Answer. I should think pattern and all would be worth from three hundred and fifty to four hundred dollars. I dont know the weight of them and cant exactly tell.

9th Interrogatory. Were these wheels bored & banded? and would that increase the cost of the same and to what extent?

Answer. The wheels were bored and banded. It would increase the cost about twenty five or thirty dollars, to the best of my judgment.

10th Interrogatory. Where were these wheels used? or taken to.

Answer. They were taken to Hoffman mine.

11th Interrogatory. Do you know who built the Engine that was put up at the Hoffman mine in 1856 or 1857 for the Hoffman mine Slope?

Answer. I dont know.

George F. Gephart, a witness of lawful age, produced on the part of Complainant, being duly sworn and examined to interrogatories to him propounded, deposed and said.

1st Interrogatory. Look at the papers now shown you marked "J. S. McH. No 11" "J. S. McH. No 12" and state whether you paid the money for which they are receipts, for the Cumberland Coal and Iron Company and obtained said receipts for it.

Answer. I paid them for the Complainant.

George Herpich, being recalled by complainant, deposed and said.

1st Additional Interrogatory. Did you measure the brick used in buildings, at the Hoffman Slope mine, built by the Complainant? And if so, state the quantity, of your own and at what buildings they were used and at what times said buildings were constructed.

Answer. I measured them and calculated eighty nine thousand brick in the stack, flues and boilers, not including the pavement, in the Engine House at Hoffman mine.

The buildings were put up in 1857 under my superintendence.

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

1st Additional Cross-Interrogatory. Did you make a record of the measurement you have spoken of, at the time you made it?

Answer. I have.

2nd Additional Cross-Interrogatory. Do you speak from memory or from that record as to the quantity of brick?

Answer. I speak from both record and memory.

3rd Additional Cross-Interrogatory. When did you last look at that record?

Answer. I looked at it yesterday morning

4th Additional Cross Interrogatory. Where at?

Answer. At home at the Peckhart mine.

5th Additional Cross Interrogatory. In your house or elsewhere?

Answer. In my house

6th Additional Cross Interrogatory. State the dimensions of the measurements made and your mode of calculating the number of brick.

Answer. I have measured the length and thickness, counted the courses of bricks both in length and breadth and counted the courses in length.

7th Additional Cross Interrogatory. If you counted the courses of brick in length, breadth and heighth, tell us why you measured it all?

Answer. Because the stack was to be sixty feet high from the stone wall foundation erected of brick.

8th Additional Cross Interrogatory. Did that make it necessary to measure after you had counted it.

Answer. It does not make it necessary, but it gives satisfaction.

9th Additional Cross Interrogatory. State why it gives satisfaction.

Answer. Because some bricks are a little thicker than others, and some joints contain more mortar than others; and therefore by counting the courses and measuring it, it gives full satisfaction.

10th Additional Cross Interrogatory. Grant the very reasons you have given show that the count is more certain than the measurement.

Answer. The counting of the quantity, counting them is the surest way of the amount of opinion the amount.

11th Additional Cross Interrogatory. Now give us the rule of your calculation by measurement.

Answer. By taking so many to one foot high, and so many to one foot all around the stack. I cant give the exact amount of how many to the foot, unless I could go there and measure them over again.

The Commissioner here adjourned the further taking of testimony until tomorrow morning at 9 O'clock at the same place.

J. J. McLeny, Comm.

1861. June 19th "Pursuant to adjournment the Commissioner met at the time and place above named and in the presence of Solicitors of Complainant and defendants, proceeded to take the following testimony, viz:

Alexander Davis, a witness of lawful age, produced on the part of Complainant, being duly sworn and examined to interrogatories to him propounded deposed and said

1st Interrogatory. Did you do any work at the Hoffman mine, for which the Cumberland Coal and Iron Company paid you? If so when, and what kind of work was it?

Answer. I did laboring work in the Hoffman mine; this was in