

It further appears that on the 11th of December, 1861, the regular annual election for President, Treasurer and Directors of said company was held at Easton. Doctor E. M. Hardcastle, William F. Hawkins and Thomas C. Nichols were appointed judges, and took the oath required of them as judges of such election, but did not subscribe the same. The polls were then opened, and after all present had voted, the ballots were counted out, and the said judges announced that Henry H. Goldsborough having received a majority of the legal votes, was duly elected President; and that Reuben Tharp, having received a majority of legal votes, was duly elected Treasurer; and that James Dixon, Samuel J. Hopkins, John Goldsborough, Henry Roussett, James Merrick, Henry Straughn and N. H. Coverdale, having received a majority of legal votes were duly elected Directors of said company, as will fully appear by reference to the qualification and return of said judges, accompanying this report, and marked "Document A.," and Doctor C. C. Cox, the President of the meeting, declared the persons so returned to be duly elected the officers of the said company for the ensuing year. Whereupon the said Tench Tilghman, on behalf of himself and others, filed a protest against the action of the judges of said election, in that they refused to receive and count the ballots offered by him for three hundred and thirty-five shares of the stock of the company, held under the forfeiture of the contract of Mitchel & Maffit, and which he as President, offered to vote for himself as President; for I. C. W. Powell, as Treasurer; and for S. Hambleton, J. Merrick, G. W. Goldsborough, David Knotts, William Slaughter, Edgar Plummer and William R. Hughlett, as Directors, and claiming that by reason of said refusal the said election was void.

Afterwards, to wit: on the 19th of December, 1861, the said persons, so as aforesaid appointed judges of election, attempted to review and correct their return, by counting the three hundred and thirty-five votes which they refused at the election, and by declaring that the following persons were duly elected the officers of said company, to wit: the said Tench Tilghman, President; I. C. W. Powell, Treasurer; Samuel Hambleton, James Merrick, G. W. Goldsborough, David Knotts, William Slaughter, Edgar Plummer and William R. Hughlett, Directors, as will also fully appear by reference to "Document B." hereto annexed.

Thereupon both sets of officers claimed to be duly elected, and a controversy at once arose between them for the control and management of the affairs and property of said company.

On the 14th of December, 1861, the said Henry H. Goldsborough, transmitted to A. Lingan Jarrett, Esq., then Comp-