

**Supreme Court of New York, General Term: Pennsylvania Coal Co.,  
Appellants, Against the Delaware and Hudson Canal Co., Respondents;  
Arguments of Samuel J. Tilden, and Francis B. Cutting, for Appellants;  
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Forgotten Books, 2018. Paperback. Condition: New. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*. Excerpt from Supreme Court of New York, General Term: Pennsylvania Coal Co., Appellants, Against the Delaware and Hudson Canal Co., Respondents; Arguments of Samuel J. Tilden, and Francis B. Cutting, for Appellants; Pages 1 to 43, Pages 104 to 158; February 14 and 15, 1859 The Pennsylvania Coal Co. Possesses also its own railway connecting with the canal of the Delaware and Hudson Co., at a point about nine miles this side of the further terminus of that canal, and extending about 47 miles through the beautiful valley of the Wyoming, nearly down to Wilkesbarre, where its lands and its mines are, and from which it brings annually about tons of coal to this market. The relations between these two companies arise in this manner The Delaware and Hudson Canal Co., having this canal, found that it had a capacity to pass boats upon it altogether exceeding its means of mining and transporting over its own road. The company, therefore, thought it would be highly expedient and profitable to bring this surplus capacity into use. The motives for that project are recited in the preamble of a contract, which will be found on page 90, folio 152, of the plaintiff's case. This contract was formed originally with the Wyoming Coal Association, an incorporated body but in a short time, according to the provisions of the original agreement, by a new agreement, executed on the part of the Delaware and Hudson Co. and Pennsylvania Coal Co., the latter company became the successor of the Wyoming Coal Association, which it was entitled to become upon building this railway. The supplementary contract will be found at folio 190. There is no...

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