

State of Maryland, Frederick County, To wit  
 I hereby certify that on this 22<sup>nd</sup> day of February A.D. 1871 before the subscriber a Justice of the Peace of the State of Maryland, in and for Frederick County, personally appeared James L. Davis, who made Oath that he is the father of the aforesaid Mattie L. Cunningham; and that she was thirty three years of age on the 14<sup>th</sup> day of November 1840, and that her health has been and is now good.  
 Filed February 24<sup>th</sup> 1871 ~ J. W. Harding, J. P.

Order to issue  
 Commission to  
 Take Testimony

Peter Thomas of G }  
 vs } No 3618 Equity ~  
 M L Cunningham }  
 et al, }

Clerk - Please issue Commission to take testimony  
 in said Cause. ~  
 Filed May 1<sup>st</sup> 1871 ~ John Ritchie Solicitor for  
 Complainant

Commission

Maryland Set:  
 The State of Maryland To William D Nelson and John C R Wood of Frederick County, Greeting. ~  
 Be it known, that you are appointed Commissioners to examine Evidences in a Cause depending in the Circuit Court for Frederick County as a Court of Equity, between Peter Thomas Complainant, and Mattie L Cunningham et al Defendants. You are therefore required, having first taken the Oath hereunto annexed, and also administered the annexed Oath to the persons whom you shall appoint as Clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such Evidences as shall be named and produced to you by either the Complainant or defendant; And that you examine them on their Corporal Oath, to be by you administered upon the Holy Evangelical of Almighty God, touching their knowledge or remembrance of any thing that may relate to the Cause aforesaid, and that you cause notice to be given to the parties or their Attorneys, of the execution of the Commission, before you execute the same; and having reduced the depositions of the witness, as taken by you, into writing, you send the same, with this Commission, closed under your hand and seal, into the Court as a Court of Equity, with all convenient speed. ~  
 Witness the Hon. Wm P Maulsby, Chief Judge of our said Court 20<sup>th</sup> day of February Anno Domini 1871 ~  
 Issued the 1<sup>st</sup> day of May 1871 ~ Charles Mantz, Clerk

"Commissioner's Oath"

You shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality to any or either of the parties, take the examinations and depositions of all and every witness and Witnesses produced and examined by virtue of the Commission hereunto annexed upon the interrogatories now, or which may hereafter, before the said Commission is closed, be produced to and left with you by either of said parties. - So help you God ~