

3<sup>rd</sup> Sub. Were you or not acquainted with the hand writing of said Cunningham? and if yes, look at Exhibit P and Exhibit T, and state whether the signatures thereto are his or not?

4<sup>th</sup> Sub. State whether or not his indebtedness to you is according to the purport of those Exhibits, less the credits thereon given?

(Note) Mr Thomas being absent from age and weather, the foregoing special interrogatories to him are withdrawn ~)

Special Interrogatories to be propounded to David Thomas on part of Complainant

1<sup>st</sup> Sub. Look at papers filed as Exhibit P and Exhibit T, and state who is the holder thereof, and your knowledge herein. ~

2<sup>nd</sup> Sub. Do you or not know the handwriting of John A H Cunningham late of Frederick County deceased, and of Peter Thomas of G, the Complainant? If yes, look at the signature on the face of Exhibits P & T, and state, whether or not those purporting to be said Cunningham's, are his or not? And look at the signature on the back of said Exhibit P, purporting to be the signature of said Peter Thomas of G, and state whether it is his or not? ~

3<sup>rd</sup> Sub. Do you know who handed said Exhibits in to be filed by Commissioners? If yes, and by any one than Complainant? state your knowledge herein. ~

John Ketchie  
Sol for Complainant

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity, and directed to William B Nelson and John E K Wood, and empowering them to examine witnesses in the cause depending in the said Court, between Peter Thomas of G, as Complainant and Matthew Cunningham and others as defendants, as J, J E K Wood, one of the Commissioners therein named having met at \_\_\_\_\_ Office in Frederick City, on Saturday the sixth day of May A D 1871, pursuant to previous notice thereof to the said parties, did then and there in the presence of the Complainant, proceed to take the following testimony, to wit:

The Complainant filed with the Commissioners as Evidence Exhibits P, T, W, & G, H, and N, B. ~

The Commission then proceeded to take the following depositions to wit: A B Cunningham, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to Interrogatories filed with the Commissioners by the Complainant, and herewith returned, deposes and says. ~

To the 1<sup>st</sup> Sub: That he is acquainted with the parties to this suit, and has known them for a number of years, they all reside in Frederick County.

To the 2<sup>nd</sup> Sub: That he was acquainted with J A H Cunningham formerly of Frederick County, he is dead, he died in the Month of April, in the year Eighteen hundred and Seventy in Frederick County. ~

To the 3<sup>rd</sup> Sub. ~ Deponent was acquainted with the handwriting of J A H Cunningham - Deponent looks at Exhibits P & T, and says that the signatures thereto respectively attached are the signature of the said J A H Cunningham. That Deponent know them to be his signature from the knowledge of said J A H Cunningham's hand writing, and from J A H Cunningham's having brought said Exhibits to witness for the signature of witnesses as security for him the said J A H Cunningham thereon. ~

To the 4<sup>th</sup> Sub. That Deponent is acquainted with the lands whereof said J A H Cunningham died seized and possessed. Deponent looks at the

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