marked exhibit D. M. P. No. 1, and hereunto annexed) he finds it to be an exact copy of a copy made by deponent on the ninth of June eighteen hundred and thirty seven of a note sent on that day by deponent, as agent for the executors of Robert Oliver to William Schley Esquire for collection, deponent has no doubt that the copy made by him is an exact copy of the original note sent by him to Mr. Schley, and the receipt of which was acknowledged by Mr. Schley, by letter dated the tenth of June eighteen hundred and thirty seven and which deponent has this day handed over to Mr. Schley and is exhibit W. S. No. 1, filed with this Commission, and referred to by Mr. Schley in his foregoing deposition, said note belonged to the estate of said Robert Oliver, deceased and deponent knows that no part thereof has ever been paid to deponent as agent for said executors, nor as he verily believes to any of said executors, and had it been paid in whole or in part to any of the said executors he has no doubt that he would have known it, said original note was never returned to deponent, and he has frequently as agent of said executors urged Mr. Schley to proceed in the collection of said debt, and this deponent exhibits a paper marked Exhibit D. M. P. No. 2 (and which is hereunto annexed) which deponent found among the papers of the executors of Robert Oliver deceased which appears to relate to said debt. 5 To the fifth mediatory interrogatory that he knows nothing on the subject matter thereof, the Complainants solicitor then filed with commissioners exhibits No. 1 and 7 hereunto annexed. No other witnesses being produced before us for examination, we then at the request of the complainants solicitor closed the commission, and now return the same closed under our hands and seals, on the said twenty sixth day of March in the year of our Lord eighteen hundred and forty six at the City of Baltimore aforesaid in the State of Maryland.

Benjn. C. Prestman Commr. (Seal)
Frederick Pinkney, Commr. (Seal)

My Dear Sir,

I acknowledge the receipt of the note of the late James Cunningham, deceased, dated April 9th 1835, at twelve months after date for the payment of $526 2/100 (five hundred and twenty six dollars and two cents) with interest thereon from the date thereof payable to Endorsed by Henry Wayman, and held by the executors of the late Robert Oliver deceased. The personal assets of Mr. Cunningham are, to my knowledge very inadequate for the payment of his debts, I called round this evening to see the administrator who is now from home, but will return next week, I will see him I hope before I leave home for Annapolis, and I will apprize you of what he says, as I pass through Baltimore. At the same time, I will ascertain whether the note was protested &c so as to bind Wayman, I will also this evening write to Mr. Wayman and desire his attention to the claim.

Sincerely & Respectfully &c
Wm. Schley.

Frederick Md.
June 10. 1837.
To D. M. Perine, Esq.
Baltimore, Md.
single.

Exhibit W. S. No. 1, filed with Commissioners March 26. 1846.
Frederick Pinkney,
B. C. Prestman, Commissioners.

Exhibit No. 4.

$526 2/100 April 9th 1835.

Twelve months after date I promise to pay to Henry Wayman or order five hundred and twenty six dollars and two cents, with interest from date, value received.
James Cunningham.
Endorsed, Henry Wayman.
Exhibit No. 4 filed with Commrs. March 26 1846.
Fred.k Pinkney, B. C. Prestman, Commrs.

Exhibit 5.

$364 83/100 Frederick February 19th 1831.

Six months after date I promise to pay Horatio McSherron acting executor, three hundred and sixty four dollars eighty three cents for value received with interest from date.
Jas. Cunningham.
Test. J. B. Webb.

Principal — — — — — — $364.83
Int. from 19 Feby 1831 to 2d Apl. 1842,
11 yrs 1 month & 13 days is — — — $243.34
But there was paid heretofore in part of interest — — — 100. leaving int. due — 143.34
Due 2d Apl. 1842 for Principal & interest — — — $508.17
$364 83/100 Add int. for 6 months on principal — — 10.94
Int. 116.68 New Note at 6 months without interest for — $519.11
$481.51

Exhibit No. 5. Filed with Commrs.
March 26. 1846.
J. K. Pinkney.
B. C. Prestman Commrs.

Baltimore June 9. 1837.

To William Schley, Esq. (Frederick)

Dear Sir, I herewith send you for collection a note signed by James Cunningham and endorsed by Henry Wayman dated 9 April 1835 for the sum of $526.02 with interest from date, for a debt due to the executors of Robert Oliver. Please give it your early attention, and do what may be needful in the business to recover the money.

I am very Respectfully Your's &c
D. M. Perine Agent for the Executors of Robert Oliver.

P.S. Let me hear from you on the receipt of this.

(Copy of the above note)

$526.02/100 April 9th 1835.

Twelve months after date I promise to pay to Henry Wayman Esq. or order five hundred & twenty six dollars and two cents, with interest from date, value received.
Jas. Cunningham.
And which note is thus endorsed. "Henry Wayman"

Exhibit D. M. P. No. 1.

Filed with Commissioners March 26th 1846.
Frederick Pinkney, B. C. Prestman Commissioners.

Fred.k 22d May 1835.

My Dear Sir, Your very kind and soothing letter from New York reached me in course of post. I really feel awkward & ashamed that necessity obliges me to be so troublesome to you in the way of business. Tell me how I am to draw a new note, suppose you do it in the way you