

Warfield are infants under age and cannot answer the said bill of Complaint nor defend this suit, without having a guardian assigned in that behalf, know ye, therefore that I have given unto you full power and authority in pursuance of the special order in said Court, to assign and appoint a guardian for the aforesaid infants and to take the answers of the said infants, by such guardian to the said Rachel C. Warfield and James H. B. Warfield and therefore I Command you, that at such certain day and place as you shall think fit, you go to the said defendants if they cannot conveniently come to you, and assign and appoint a guardian for the aforesaid infants, and take the answers of the said infants, by such guardian to the said Bill of Complaint on such guardian's solemn oath upon the Holy Evangelists to be administered by you the said answers being distinctly and plainly made, and when you shall have so taken the said answers you are to send the same closed up under your seal, together with your certificate of your having assigned and appointed such guardian as aforesaid, and this sent unto me in said Court. Witness the Honorable Madison Nelson Judge of said Court the 23^d day of February Anno Domini 1852


Issued the 15th day of March 1852

Test Edward Shriver Clerk

The joint and several answers of Rachel C. Warfield and James H. B. Warfield infants under the age of twenty one years by Daniel Swadner their guardian, to the Bill of Complaint of Sarah D. Warfield and others against them & others exhibited in the Circuit Court in Frederick County sitting as a Court of Equity. These defendants saving and reserving to themselves all manner of advantages of exception to the manifold errors and uncertainties in said bill of Complaint contained for answer thereto answering by their guardian, say they admit that Sarah D. Warfield departed this life intestate some time during the year 1851 seized & possessed of a large and valuable real estate specified & described in said bill of Complaint, that the said Sarah D. Warfield died leaving as her only heirs at law the following named children, Sarah D. Warfield, Minerva A. wife of Francis E. Shriver, Annetta wife of John A. Warfield Richard D. Warfield, Ann M. wife of William H. Jones, Elizabeth Warfield and three infant defendants Rachel C. Warfield & James H. B. Warfield, who are minors under the age of twenty one years. These defendants further answering say by their said guardian admit that said real estate will not admit of a division among all said children and heirs at law, who now own & hold said real estate as tenants in common without great injury and loss, and that it will to the manifest interest & advantage of said heirs at law and tenants in common that said real estate should be sold and the proceeds distributed amongst the parties according to their respective rights and these defendants admit all the facts stated in said bill of Complaint and are willing and wish that a decree should pass as therein prayed.

Daniel Swadner Guardian

On this 1st day of April 1852 before the subscriber the Commissioner named in the enclosed Commission personally appears the within named Daniel Swadner and makes oath that the matters & things stated & set forth in the foregoing answer are true to the best of his knowledge, information and belief.

Wm. J. Palmer Comr. 

To the Honorable Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity

The subscriber being the Commissioner named in the enclosed Commission, hereby certifies that in pursuance and execution of the power thereby vested in me I did on the first day of April 1852 assign and appoint Daniel Swadner of Frederick County guardian to said infants and took the answers