

a guardian, for the aforesaid Infants, and take the answers of said infants by such guardian to the said bill of Complaint, on such guardian's Corporal Oath, upon the Holy Evangel, to be administered by you the said answers being distinctly and plainly wrote, 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 writ, unto me, in said Court, Witness the Hon^{ble} Madison Nelson Judge of our said Court the 23rd day of February Anno Domini 1852

Issued 31 day of March 1852. Just Edw^d. Shriver Ck
State of Ohio Montgomery County Set I Charles R Green Clerk of the Court of Common Pleas, for the County aforesaid do hereby certify, that the within named Abraham Barnett, and Oliver Cook Esquires before whom the within Deed was acknowledged were at the time, two of the Justices of the Peace, within & for said County duly Commissioned & sworn, into Office, and that all their official acts as such are entitled to full faith and credit In Testimony whereof I have hereunto set my hand & official seal at Dayton this 28 day of August A.D. 1852

State of Maryland Frederick County Set; I Henry certify that the foregoing is a true Copy, Taken from Liber B.S. No 41 fol 373 374 & 375 one of the Land Records of Frederick County In Testimony whereof I hereto set my hand, and affix the seal of the Circuit Court for Frederick County, this 17 day of July A.D. 1852

Answers The Joint and several answers of Samuel D Smith James P. Smith of Ephraim R Smith (Infants) three of the defendants to the bill of Complaint of Joseph Smith Jr John Smith & Thomas Smith Complainants, filed against them & others, in the Circuit Court for Frederick County, sitting as a Court of Equity by John Smith of Wth their guardian These defendants, answering by their said guardian say they admit that Joseph Smith died seized & possessed of the Real Estate, specified and described in said bill of Complaint, that said Joseph Smith died intestate, leaving as his only heirs at Law, the children, named and set forth in said bill of Complaint That these defendants are infants under the age of Twenty one years and that Margaret S Smith has sued the filing of said bill of Complaint, intermarried with a certain Ephraim Stone These defendants further answering by their said guardian, admit that said Real Estate, will not admit of division, amongst all said children, and heirs at Law without great injury, and loss that it will be greatly to their advantage, and benefit that said Real Estate should be sold, and the proceeds distributed, among the parties, according to their respective Interests, These defendants further admit all the facts, set forth in said bill of Complaint, and are willing & wish that a decree shall pass, as therein prayed

John Smith of Wth G^o

On this 30th day of March 1852 before me The Commissioner named in the enclosed Commission personally appears that