

as you will answer the Country at your peril. Witness the Honble Madison Nelson Judge of our said Court the 8th day of November 1852 Issued 1st day of January 1853.

To the Sheriff of Fredk Co

E Shivers clk

Whereto there subscribes

Summoned "A. M. M. S. S. S."

The following application for a Commission was filed Jan 1/53
 Thomas A Smith & et al 2455 Equity In the Circuit Court for -
 other Complainants } Frederick County, as a Court of Equity
 Corilla A Smith } The clerk of this Court is hereby requested.
 Philemon M Smith } to issue a Commission to Grayson -
 David Rinehart & } Eichellenger Esq to take the answers
 other Defendants } of Mary A. Smith Joseph R Smith
 Infant Defendants in this case } Rachel Ann Smith & Alice Smith the
 J. M. Palmer Solr.
 For Compts.

Thereupon the following Commission issued

Maryland &c The State of Maryland to Grayson Eichellenger Esq
 of Frederick County Greeting Whereas Thomas A Smith Charles
 C Smith Charles Ramsey & Ann E Ramsey his wife have lately
 exhibited their bill of Complaint, before me in the Circuit Court for
 Frederick County sitting as a Court of Equity against Corilla A
 Smith, Philemon M Smith, David Rinehart and others

And whereas I have by my writ, lately commanded the said de-
 fendants, to appear before me, in said Court as a Court of Chancery
 at a certain day now past to answer the said bill of Complaint
 But for as much as the said Mary A. Smith Joseph R Smith
 Rachel Ann Smith and Alice Smith 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 me
 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 take the answer of said
 infants by such guardian to the said bill of Complaint.

And therefore I command you, that at such certain day & place as
 you shall think fit you go to the said defendants, if they cannot
 conveniently come to you, and assign & 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
 Corporal Oath, upon the Holy Evangelists 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 with unto me in said Court

Witness the Hon Madison Nelson, Judge of said Court the 8th day
 of November Anno Domini 1852 Issued 1st day of Jan 1853

Just

E. Shivers clk.

Whereupon the following answer was filed 3rd Jan 1853