

the said Franklin Kubin, and Ellen Jane Kubin are Infants under age, and cannot answer the said bill of Complaint, nor defend this suit, without having a guardian assigned in that behalf - Knowye - therefore, I hat 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 the said Infants by such guardian to the said bill of Complaint - 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 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 writ, unto me, in said Court. Witness the Honorable Nelson Judge of said Court the 3^d day of January - Anno Domini 1853 Issued 3^d day of January 1853.

Jesh Dr. Shiverer

"Enrolled" The Execution of Commission will appear (by a certain Schedule to the said Commission amnt.?

R. Wilson Jr. Comr

The following answer was filed 27. April 1853.

Answer of Infants by guardian

The joint and several answer of Franklin Kubin, & Ellen Jane Kubin, infants, under the age of Twenty one years, by their guardian William De Stearns two of the Defendants to the bill of Complaint of Edward Deulbess & Louisa Deulbess his wife and others, in the Circuit Court, for Frederick County, sitting as a Court of Equity These said Defendants, saving to themselves, now and at all times hereafter, all manner of advantage of exception to the many imperfections - in the said bill of Complaint contained, for answer thereto, or to so much thereof, as these Defendants, are advised is material for them to make answer to they by the said Mr. Stearns their guardian say - That they admit that Franklin Kubin their late father is dead - That in his life time he in due form of Law made his Testament and Last will as stated in said bill of Complaint, and That Exhibit A. is a true Copy thereof, That Mr. Bezzo & Leonard Pickens were appointed Executors of said will - That Mr. Bezzo accepted the trust, and obtained Letters Testamentary thereon &c These Defendants state further for answer, that the House and Lot, and Real Estate situate in Woodsborough in Frederick County is part of the Real Estate devised by said Testator.