

Col Edw^d Shrew Clerk,

The infant defendants having been summoned in this case, you will please issue a commission to Mr Mahony Esq, to appoint a guardian for & to take the answers of Genevieve Bawner & Joseph Bawner the said infant defendants
Grayson Eschelberger, Sol for Compt

Thereupon the following Commission was issued -

Maryland Set The State of Maryland, To William Mahony Esq, of Frederick County Greeting Whereas James W Baughen, surviving partner of Isaac Baughen & Co has lately exhibited his Bill of Complaint before me in the Circuit Court for Frederick County, sitting as a court of equity, against Ann M Bawner and others - And Whereas I have, by my writ, lately commanded the said Defendants 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 Genevieve Bawner and Joseph Bawner 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 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 Evangelies, 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 Madison Nelson, Judge of said Court, the 28th day of February, Anno Domini 1853
Issued the 29th day of June 1853
(G E) Just Edward Shrew, Clerk

And afterwards, to wit, on the 29th day of June in the year last aforesaid, the Commissioner named in the foregoing commission, made return of the said Commission to the Court here, together with his proceedings under and in pursuance thereof, which proceedings are in the words, and of the tenor following, to wit -

The joint and several answer of Genevieve Bawner & Joseph Bawner, infants under the age of twenty one years by James Kerrigan Jr their guardian, to the Bill of Complaint of James W Baughen surviving partner of Isaac Baughen, filed against them in the Circuit Court for Frederick County, sitting as a court of Equity.

These defendants answering by their said guardian cannot admit any of the things alleged in said bill of complaint, & being infants of tender years submit their rights to the protection of the Court

James Kerrigan Jr Guardian

On this 29th day of June 1853 before me the Commissioner, appears the above named James Kerrigan Jr & made oath that the matters & things stated & set forth in the foregoing answer, are true to the best of his knowledge & belief

W Mahony Commissioner

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 execution of the powers thereby