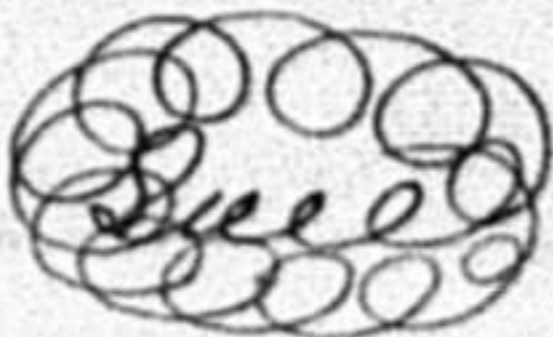


To the Hon. M. Nelson, Judge of the Circuit Court for Frederick County in Chancery.
 By virtue of the annexed Commission, the undersigned hereby certifies, that in execution of the powers, thereby vested in me, I did on the 2^d day of October 1854, at Frederick City, assign and appoint Samuel Carmack of Frederick County guardian to Morris Toop, Dennis Toop, Samuel Toop, Lemuel N. Toop, Singleton Toop, Mary Toop, and Amanda Toop, the Infants named in the Commission, and they & their took the answer of said Infants, by their said guardian, and under the oath of said guardian, by me administered to the Bill of Complaint in said Commission - mentioned - which said answer with said Commission is herewith returned closed under my hand & seal, this 2^d day of October 1854.

R. Wilson Jr. Comr. 


Answer of Infant

The answer of Morris Toop, Samuel Toop, Dennis Toop, Lemuel N. Toop, Singleton Toop, Mary Toop, and Amanda Toop, Infants under twenty one years of age, by Samuel Carmack their guardian, to the Bill of Complaint of D. & P. Engle trading under that name, against them in Chancery Exhibited (N. 2573. Equity).
 These defendants cannot admit any of the matters and things, alleged in the said Bill, and being Infants of tender years, submit their rights to the protection of this Court.

Sam. Carmack Guardian

Affidavit

On this 2^d day of October 1854, the above named Samuel Carmack, guardian appeared before me, Commissioner, and made oath, that the matters & things, stated in the foregoing answer are true - to the best of his knowledge & belief.

R. Wilson Jr. Comr. 

The following Order was filed, Oct. 10, 1854.

Engle } N. 2573. Equity.
 Toop. } In this case the Clerk will issue a Commission to R. Wilson Jr. to take testimony in this case

M. B. Suckett, Scler.
 For. Comp^t.

Thereupon the following Commission was issued.

Maryland &c. The State of Maryland, to Robt. Wilson Jr. Esq. of Frederick County -
 Greeting: Be it known - That you are appointed Commissioner, to examine evidences in a cause depending in the Circuit Court for Frederick County, as a Court of Equity - Between D. & P. Engle, Complainant, & Morris Toop, and others Defendants, you are therefore required, having first taken the oath hereunto annexed, and also administered the annexed oath, to the person whom you shall appoint as clerk to attend the execution of this Commission, that at such time and place, as to you shall seem convenient, you cause to come before you, all such evidences, as shall be named, and produced to you, by either the Complainants or defendants, and that you examine them, on their corporal oaths to be by you administered, upon the Holy Evangelists of Almighty God, touching their knowledge or remembrance of anything that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their attorneys, of the execution of the Commission, before you execute the same, and having reduced the depositions of the witnesses so taken by you, into writing, you send the same, with this Commission, closed under your hand & seal, into Court, as a Court of Equity, with all convenient speed. Witness the Hon. Madison Nelson, Judge of our said Court, the 3^d day of July Anno. Domini 1854

Issued 10. day of July 1854

Edw. Shivers