

Ordered by the Court, this 2^d day of November 1854. That the above named Petitioners & Complainants be and they are hereby authorized to prosecute their said bill in Equity as between the surviving parties as if said Harriet A. Eichelberger had not died, since the filing of said bill.

M. Nelson

The following Petition & Order was filed. Nov. 7. 1854.

Michl. F. Eichelberger } N^o. 2579. In the Circuit Court for Frederick County, sitting as a Court
and others } of Equity. The Petition of Michael F. Eichelberger, John Seabrook
 } and Mary W. Seabrook his wife, surviving Complainants in
Elizabeth Eichelberger } the above cause, shows. That the subpoenas issued, have
Virginia Eichelberger } been duly returned. Summ'd "your Petitioners there-
and others. } fore pray your Honor to appoint a guardian, for
Susan M. Eichelberger, Martin J. Eichelberger, Grayson M. Eichelberger & Marion
E. Eichelberger the Infant defendants, in said case, and to appoint a Com-
missioner to take the answer of said Infants by their said Guardian, on the
Oath of said guardian, according to the acts of assembly in such case made,
& provided

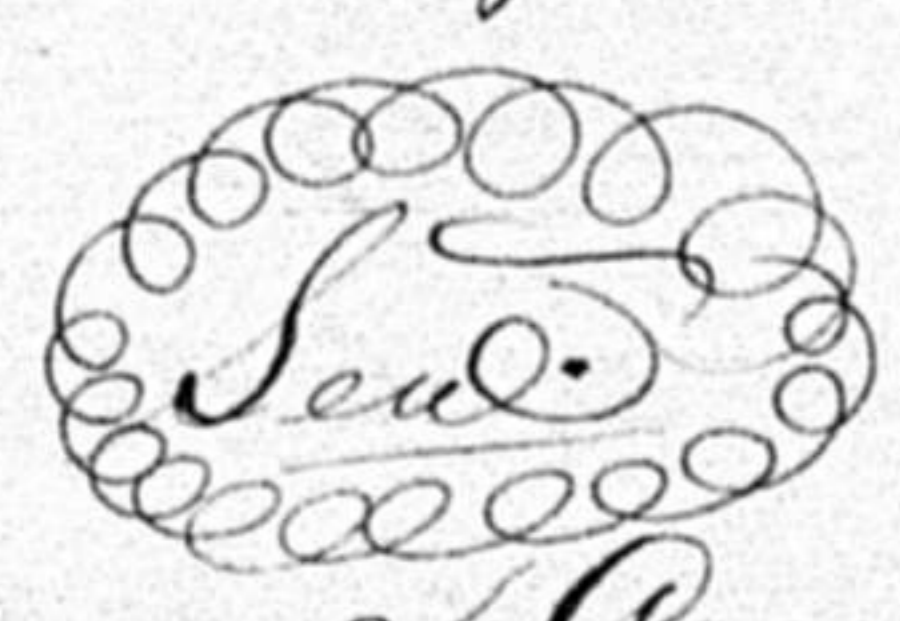
Grayson Eichelberger Solls.
For Complainants

In the Circuit Court for Frederick County, sitting as a Court of Equity, Oct. Term 1854.
Ordered by the Court, this 7th day of November 1854. That Lewis F. Capps Smith, be and
he is hereby appointed guardian for Susan M. Eichelberger, Martin J. Eichelberger,
Grayson M. Eichelberger, and Marion E. Eichelberger, the Infant defendants in the
above cause, and that John A. Lynch be appointed Commissioner to take the answer
of said Infants by their said guardian, on the Oath of said guardian.

M. Nelson,

Thereupon the following Commission was issued.

Maryland &c. The State of Maryland, to John A. Lynch Esq of Frederick County Greeting:
Whereas Michael F. Eichelberger & others, have lately exhibited their bill
of Complaint, before me in the Circuit Court for Frederick County, sitting
as a Court of Equity, against Elizabeth Eichelberger & others. And whereas I have
by my writ, lately Commanded the said defendants to appear before me in said
Court, as a Court of Equity, at a certain day now past, to answer the Bill of Complaint
But for as much as the said Susan M. Eichelberger, Martin J. Eichelberger, Grayson
M. Eichelberger, and Marion E. Eichelberger, are infants under age and cannot an-
swer 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 & take the answers
of 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 Evangelly, 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. Madison Nelson, Judge of said Court, the 16th day of Octo.
anno Domini 1854. Issued 7th November 1854. / Just. / Edw. Shivers. etc.



The Joint, and several answer of Susan M. Eichelberger, Martin J. Eichelberger,
Grayson M. Eichelberger, and Marion E. Eichelberger, by Lewis F. Capps Smith -