

and take the answers of the said infants by such guardian, to the said bill of complaint, on such guardian's solemn oath, upon the Holy Evangelly, to be administered by you, the said answers being distinctly & 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 Mason Nelson, Judge of said Court, the 7th day of July Anno Domini 1856. Issued 8th July 1856 Test Est. Shuman etc.

George Summers & Ellen Summers his wife vs. Adam Summers, Jacob Summers & others. N. 2660. Equity. To the Hon Mason Nelson Judge of the Circuit Court for Frederick County, sitting as a Court of Equity. The subscriber, being the Commissioner, named in the annexed Commission, hereby certifies, that in execution of the powers thereby vested in me I did on the 8th day of July, in the year 1856, assign & appoint Charles Cole of Frederick County, guardian to the Infants mentioned in said Commission, and 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 8th day of July. Anno Domini 1856. Wm. Cole.

The answer of Malinda Summers, an Infant, under the age of Twenty one years by Charles Cole, her guardian, to the Bill of Complaint of George Summers & Ellen Summers his wife, and others against her, in the Circuit Court for Frederick County, sitting as a Court of Equity exhibited. This defendant cannot admit any of the matters & things alleged in the said Bill, & being an Infant of tender years, submits her rights to the protection of this Court. Chas. Cole Guardian.

On this 8th day of July, A.D. 1856, the above named Charles Cole appeared before me Commissioner, & made oath that the matters, and things stated in the foregoing answer is true to the best of his knowledge & belief. William Cole Comr.

Enclos^{ed}. The execution of the within Commission will appear by the papers enclosed. Wm. Cole Comr.

Order. George Summers & Ellen Summers his wife vs. Adam Summers Amanda Summers & Malinda Summers N. 2660 Equity. In the Circuit Court for Frederick County, as a Court of Equity. This cause standing for hearing, and being submitted The Bill & all process were read & considered.

It is thereupon this 28th day of July, 1856 by Mason Nelson Circuit Court Judge, for the third Judicial Circuit of the State of Maryland, and by the authority of the Circuit Court for Frederick County as a Court of Equity ordered, adjudged & decreed That there be a partition of the Land whereof Abraham Summers in the process mentioned, lately died seized and possessed, among his heirs at law, and to the end that this Court may be enabled to make such partition, it is further ordered, adjudged & decreed that a Commission in the usual form issue to William Metzger, Jacob Johnson, Jacob Rautong, Samuel Wiseman & Jacob Poffenberger authorizing them, or a majority of them to enter upon