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 Evangely, 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 fifth day of January Anno Domini 1852. Issued the 2d day of February 1852.

Test. Edwd Shriver, Clk.

Guardian's Answer

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 vested in me, I did on the 3d day of February 1852, assign & appoint Joshua Dell of Frederick County guardian to John I. Derr, George W. Derr, Daniel I Derr, Jane E. Derr, Luther C Derr & Ely D. Derr the infants named in the said commission & took the answers of said infants by their said guardian & under the oath of the 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 3d day of February 1852

Fred. I Nelson, Comr (Seal)

The joint & several answers of Jno I. Derr, George W. Derr, Daniel I Derr Luther C. Derr & Ely D. Derr, infants under the age of twenty one years by Joshua Dell their guardian to the Bill of Complaint of the Frederick Town Savings Institution against them exhibited. These defendants neither admit nor deny the matters & things stated in said Bill, but being infants submit their rights to the protection of this Court

Joshua Dell, Guardian.

On this 3d day of February 1852 the above named Joshua Dell appeared before me, Commissioner & made oath that the matters & things stated in the foregoing answer are true to the best of his knowledge & belief.

Sworn Before Fred. I. Nelson, Comr

Order to issue Com. to take Testimony

Frederick Town Savings Institution vs Derr & Others } No 2401 Equity. In Circuit Court for Frederick County - January Term 1852.

To the Honorable Madison Nelson, Judge of the Circuit Court for Frederick County The answers of all the defendants in this case have been put in, And your Complainant asks your Honor to direct the Clerk to issue a commission to some suitable person to take testimony touching the allegations in the Bill.

M B. Lockett, Sol for Complainant.

Feb 19th 1852. Let a commission issue as prayed to Frederick I Nelson

M. Nelson