

Whereas Perry G. Rice and wife Etal have lately Exhibited their Bill of Complaint before me in the Circuit Court for Frederick County, sitting as a Court of Equity, against Milton G. Martin J. B. Perry Et. Levin D. B. America W. S. - Olen W. and Wiram B. Rice Etal - 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 said Bill of Complaint but for as much as the said Milton G. Martin J. B. Perry Et. Levin D. B. America W. S. Olen W. and Wiram B. Rice are infants under age, and cannot answer the said Bill of Complaint nor defend their suit, without having a Guardian assigned in that behalf - Now 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 answers 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 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 or such Guardian's Corporal oath upon the Holy Evangelist to be administered by you, the said answers being distinctly and plainly written and when you shall have 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 fourth day of July Anno Domini 1864. -

Given the 30th day of September 1864. -

Inch., Test. J. W. G. Carty Clerk  
No 3165 Equity. -

The Hon. Madison 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 30th day of September A. D. 1864 assign and appoint Joseph W. G. Carty of Frederick County, Guardian to the infants named in the said Commission, and took the answers of the 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 and seal this 30th day September 1864. -

A. G. McPherson Comr.

The answer of Milton G. Rice, Martin J. B. Rice, Perry G. Rice, Levin D. B. Rice America W. S. Rice, Olen W. Rice and Wiram B. Rice, infants under the age of twenty one years by Joseph W. G. Carty their Guardian to the Bill of Complaint of Perry G. Rice and wife, Levin Rice wife and others, against them in the Circuit Court for Frederick County, sitting as a Court of Equity, Exhibited.

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. -

J. W. G. Carty -

On this 30th day of September A. D. 1864 the above named Joseph W. G. Carty appeared before me the Commissioner, and made oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief. -

A. G. McPherson Comr.

Endorsed - The execution of the within Commission will appear by the enclosed papers. -

A. G. McPherson Comr.

Order to issue a Commission to take testimony

Commission

Commissioner's Oath

Clerk's Oath

Interrogatories