

Order for a Commission  
&  
Appt Guardian

David W. Dudderar

No 3161. ~

John S. Dudderar & others

In the Circuit Court for Frederick County, ~  
vs  
J. A. W. L. Carty Esq. Clerk ~  
Margaret M. Barnes and Sarah E. Barnes;

the infant defendants in this case having been duly summoned, you will issue a Commission to Robert G. W. Therson to assign a guardian for said infants and to take their answers by their said guardian. ~

G. Eckelberger  
Att for Complainant

Commission

Maryland Jct

The State of Maryland, to Robert G. W. Therson of Frederick County, Greeting. Whereas David W. Dudderar hath lately exhibited his bill of Complaint before me in the Circuit Court for Frederick County, sitting as a Court of Equity, against John S. Dudderar and 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 said bill of Complaint but for as much as the said Margaret M. Barnes and Sarah E. Barnes are infants under age, and cannot answer the said bill of Complaint nor defend their debt, without having a guardian assigned in that behalf. Now 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 on such guardian's corporal oath upon the Holy Evangelists to be administered by you, the said answers being distinctly and plainly wrote; and when you shall have taken the said answers, you are to send the same closed up under your seal, together with your certificates 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, this 14th day of July A.D. 1864. Issued the 5th day of September 1864. ~

J. A. W. L. Carty Clerk

No 3161 Equity. ~

To 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 5th day of September A.D. 1864 assign and appoint Isaac S. Clary of Frederick County, guardian to the infants named in the said Commission, and took the answer 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 as herewith returned, closed under my hand and seal this 5th day of September A.D. 1864. ~

R. G. W. Therson Comr.

The answer of Margaret M. Barnes and Sarah E. Barnes infants under the age of twenty one years by Isaac S. Clary their guardian to the bill of Complaint of David W. Dudderar, 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. ~

Isaac S. Clary ~

Order for Commission  
to  
take testimony

Commission

Commissioner's Oath

Clerk's Oath