

The infant defendants in this case having been duly summoned, you will please issue a Commission to Robert G. McPherson Esqr - to appoint a Guardian to take their answers. -
Filed Aug 10th 1865 -

Grayson Eschelberger
Solicitor for Complainant

Order for Com
to take Testimon

Commissioner
Guardian

Maryland, Oct.

The State of Maryland to Robert G. McPherson Esq of Frederick County, Greeting:
Whereas The Central National Bank of Frederick has lately exhibited its Bill of Complaint before me in the Circuit Court for Frederick County, sitting as a Court of Equity, against Frederick P. Phleger, Albert, William, Charles, Clayton and Francis Phleger. 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 passed, to answer the said Bill of Complaint, but for as much as the said Albert Phleger, William Phleger, Charles Phleger, Clayton Phleger and Francis Phleger are infants under age, and cannot answer the said Bill of Complaint their defend this suit, without having a guardian assigned in that behalf. - I am 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 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 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 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 3rd day of July Anno Domini, 1865 - Issued the 10th day of August 1865 -

Commissioner

(G. E.)

Test. Jos. W. L. Carby Clerk

No 5231 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 aforesaid Commission hereby certifies, that in the execution of the powers thereby vested in me, I did on the 18th day of August A.D. 1865, assign and appoint Joseph W. L. Carby of Frederick County, Guardian to the infants named in the said Commission, and 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 is herewith returned, closed under my hand & seal this 18th day of August A.D. 1865 -

R. G. McPherson
Comr.

The answer of Albert Phleger, William Phleger, Charles Phleger, Clayton Phleger and Francis Phleger, infants under the age of twenty one years by Jos W. L. Carby their Guardian, to the Bill of Complaint of The Central National Bank of Frederick 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 the Court. -

In this 18th day of August A.D. 1865, the above named Joseph W. L. Carby appears 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.

Interrogator

R. G. McPherson
Comr.

Entered

The execution of the within Commission will appear from the papers enclosed -

R. G. McPherson Comr.