

said Court, to 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 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 to 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 to be distinctly and plainly writ; and when you shall have taken the said answers, you are to seal the same close up under your seal, together with your certificate of your having assigned and appointed such guardian as aforesaid, and this writ, unto an in said Court. Witness the Honorable Madison Nelson Judge of said Court the 18<sup>th</sup> day of February Anno Domini, 1867.

Checked the 26<sup>th</sup> day of June 1867. Daniel S. Blair Clerk

N. 3350 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 certified, that in execution of the powers thereby vested in me, I did on the 26<sup>th</sup> day of June A.D. 1867 assign and appoint Henry Schley 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 & seal the 26<sup>th</sup> day of June A.D. 1867. Endorsed R. G. McPherson

The Executions of the within Commission will appear from the papers inclosed. The answer of Alton B. Carty, Daisy C. Carty, and Joseph W. Carty infants under the age of twenty one years by Henry Schley their Guardian, to the Bill of Complaint of Clarence C. Carty, by John C. Hardt, his next friend, 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. Hy. Schley

On this 26<sup>th</sup> day of June A.D. 1867, the above named Henry Schley 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. R. G. McPherson Comr.

Ben. Replicat Clarence C. Carty by John C. Hardt his next friend  
 Charles P. Carty et al.  
 N. 3352 Equity To Clerk, Circuit Court for Frederick County.  
 Enter general replications to answer of Alton B. Carty, Daisy C. Carty and Joseph W. Carty the infants defendants by their Guardian  
 Filed June 26<sup>th</sup> 1867 Wm. J. Ross Solicitor for Complainants

Commissioner's Data Testimony Clarence C. Carty by John C. Hardt his next friend  
 Charles P. Carty & others  
 N. 3350 Equity To Clerk, Circuit Court for Frederick County.  
 The answers of all Defendants being filed & Issue Commission to Robert Wilson & William B. Nelson standing Commissioners to take testimony in this case.  
 Wm. J. Ross  
 Chas. W. Ross  
 Sol. for Complainants

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