

rate upon the Holy Evangelij, 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 eleventh day of July Anno Domini, 1866 ~ Issued the 6th day of August 1866 ~
 (Expres) Just ~ Jos W^c Carty Clerk

In N^o 3306 Equity ~
 The Hon^{ble} 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 sixth day of August A.D. 1866, assign and appoint Joseph W^c Carty 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 is herewith returned, closed under my hand and seal this 6th day of August A.D. 1866 ~

R. G. McPherson Seal

The answer of Manasse Smeltzer, Amanda Smeltzer, and Martin Smeltzer infants under the age of twenty one years by Joseph W^c Carty their Guardian to the Bill of Complaint of Vincent Sanner Sr and wife 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. ~

Jos. W^c Carty

On this sixth day of August A.D. 1866, the above named Joseph W^c 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 ~
 Filed August 6th 1866 ~ R. G. McPherson Seal
 Com^r.

Interlocutory Decree
 1866
 Layoff done

Vincent Sanner Sr &
 Ellen M Sanner his wife
 vs
 Mary B Smeltzer
 Daniel B D Smeltzer et al

[Large decorative flourish]

N^o 3306 Equity ~
 In the Circuit Court for Frederick County as
 a Court of Equity ~
 This cause standing ready for hearing, the Bill, Exhibits, Answers and all the proceedings were read and considered ~

It is therefore this 24th day of September in the year Eighteen hundred and sixty six, by the Hon. Madison Nelson, Circuit Judge of the Fourth Judicial Circuit of the State of Maryland, and by the authority of the Circuit Court for Frederick County as a Court of Equity, adjudged, ordered and decreed, that there be a partition of the real estate whereof Daniel Smeltzer, in the proceedings mentioned, lately died seized and possessed, amongst his heirs at law, and to the end that this Court may be enabled to make such partition, it is further adjudged ordered and decreed, that a commission in the usual form issue to Eli Rutzahn, Jonathan Rutzahn, John Kepler Hanson J. Rudy, and John Rutzahn, of Frederick County authorizing them or any four or three of them to enter upon, walk over and survey the said real estate and value the same, subject to all encumbrances if any thereon, and to divide the same into shares