Benjamin L. Cole Jordan R. Cole Rebecca Cole Caren N. Cole and Thomas Cole are infants under age and cannot answer the said Bill of Complaint now defendants thereto and without having a guardian assigned in that behalf 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 answer 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 go to the said defendants if they cannot conveniently come to you and 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 guardians corporal oath upon the Holy Evangelly to be administered by you the said answers being distinctly and plainly wrote and when you shall have so 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 18th day of October A.D 1858. Issued the 22d day of December 1858

Test R. G. Fitzhugh Clerk

(Lynch)

No 2783 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 22d day of December A.D 1858 assign and appoint Joseph W. L. 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 22d day of December A.D 1858

R. G. McPherson (Seal)

The answer of Mary Cole Benjamin L. Cole Jordan R. Cole Rebecca Cole Caren N. Cole and Thomas Cole infants under the age of 21 years by Joseph W. L. Carty their guardian to the Bill of Complaint of William G. Guery and Mary C. Guery his 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

Joseph W. L. Carty

On this 22d day of December A.D 1858 the above named Joseph W. L. Carty appeared before me 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 (Seal)