

Maryland, et:

The State of Maryland, vs William Mahony, Esquire of Frederick County, Sheriff;

And Whereas James Brunner has lately exhibited his Bill of Complaint before me in the Circuit Court for Frederick County, sitting as a Court of Equity, against Mary Ann Hardt, Dora Hardt, John Hardt, Minerva Truella Hardt, and Lillian Ella Moulder et al, And whereas I have, by my writ lately issued, 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 Dora Hardt, John Hardt, Minerva Truella Hardt & Lillian Ella Moulder are infants, under age, and cannot answer the said Bill of Complaint on their own behalf, without having a guardian assigned to their behalf to know and defend them, that I have given you full power and authority in pursuance of the special order of 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 thereupon command you, that at such certain day and place as you shall think fit, you go to the aforesaid infants, and take the answers of the said infants, by such guardian, to the said Bill of Complaint on such guardian's solemn oath upon the Holy Evangelists, to be administered by you, the said answers being distinctly and plainly written, 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 7<sup>th</sup> day of July 1862. Issued the 26<sup>th</sup> day of August 1862.

L. E. York R. G. Fitzhugh Clerk

To the Honorable 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 power, thereby vested in me, I did on the 27<sup>th</sup> day of August 1862, assign and appoint Dennis Scholl, of the County of Frederick guardian to Dora Hardt, John Hardt, Minerva Truella Hardt & Lillian Ella Moulder, the infants named in said Commission, and took the answers of said infants by the said guardian, and under the oath of said guardian by me administered, to the bill of Complaint in said Commission mentioned, which said answers, with said Commission are herewith returned closed under my hand & seal this 27<sup>th</sup> day of August eighteen hundred & sixty two.

Return

W. Mahony Comr Seal

The answers of Dora Hardt, John Hardt, Minerva Truella Hardt & Lillian Ella Moulder, infants under the age of twenty one year, by Dennis Scholl their guardian to the bill of Complaint of James Brunner filed against them & others in the Circuit Court for Frederick County, These defendants answering by the said guardian say they cannot admit any of the matters & things in said bill alleged and being infants of tender years, submit their rights to the protection of this Court.

Dennis Scholl

On this 27<sup>th</sup> day of August 1862, the within named Dennis Scholl appeared before me Commissioner, and made oath that the matters & things stated in the foregoing answer are true to the best of his knowledge & belief.

W. Mahony Comr Seal

James Brunner } No 3042, In the Circuit Court for Frederick County, sitting in Equity  
 " } The Clerk

Mary Ann Hardt & others } Will receive a Commission to the standing Commissioners, to take testimony in this case

Order to  
 receive  
 to  
 take testimony

G. Eichelberger  
 Solicitor for Complaint