

William P. Maulsby Chief Judge of said Court the 12th day of December Anno Domini 1840. ~ Issued the 15th day of December 1840 ~ Filed Dec. 15th 1840 ~ Sub - Charles Maury, Clerk

Return

Samuel Hicks & others } No 3604 Equity
vs } In the Circuit Court for Frederick County, sitting in
Franklin B Smith } Equity

In the Honorable, the Judges 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 15th day of December A.D. 1840 design and appoint Herman K. Koehler Esq. of Frederick County, Guardian to the infant named in said Commission, and took the Answer of said infant by his 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 15th day of December A.D. 1840. ~

Wm W Young Seal Commissioner

The Answer of Franklin B Smith, an infant under the Age of Twenty One Years, by Herman K. Koehler his Guardian, to the Bill of Complaint of Samuel Hicks against him in the Circuit Court for Frederick County, sitting as a Court of Equity exhibited ~

This Defendant cannot admit any of the matters and things alleged in the bill, and being an infant of tender years, submits his rights to the protection of this Court. ~

H K Koehler Guardian

On this 15th day of December A.D. 1840 the above named Herman K. Koehler 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. ~

Wm W Young Seal Commissioner

Which is thus Endorsed

The Execution of the within Commission will appear by papers enclosed. ~

Wm W Young Seal Commissioner

Filed Dec. 15th 1840 ~

Genl. Replicator

Samuel Hicks and Susan Hicks his wife } No. 3604 Equity
vs } In the Circuit Court for Frederick County
And Others } in Equity. ~
vs }
Franklin B Smith }

Enter a general Replication to the Answer of the infant defendant filed in this Cause Filed Dec. 17th 1840 ~
H. Ross } Solr for complainant
Chas W Ross }