

I elect to take such portion of the proceeds of the sales of said real estate as may be allowed me under the rules of the Court ~

Eliza J Thomas

State of Maryland, Frederick County, Md.

On this First day of April 1841, before me the Subscribed a Justice of the Peace of the State of Maryland, in and for Frederick County, personally appeared David O. Dutton, and made Oath in due form of law that he knows Eliza J. Thomas widow of Charles E. Thomas deceased - that she is at this time aged about forty three years, and that her general health is good. ~

Filed April 4<sup>th</sup> 1841 ~

Owen Michael J.P. ~

Order to Appoint Guardian &c

David O Thomas  
vs  
Mrs Eliza J Thomas  
Emma B Thomas & others

No. 3586 Equity

In the Circuit Court for Frederick County in Equity ~

To Charles Mountz Esq, Clerk ~

Issue a Commission in the above entitled Cause to Herman Koehler Esq. to appoint Guardian to take the answer of the infant defendants.

Wm Ross  
Charles W Ross

Solicitors for Complainant

Filed April 7<sup>th</sup> 1841 ~

Commission to App. Guardian

Maryland, Feb:

The State of Maryland, To Herman Koehler Esq. of Frederick County Solicitor

Whereas David O Thomas has lately exhibited his Bill of Complaint before me in the Circuit Court for Frederick County, setting as a Court of Equity, against Eliza J Thomas, Emma B. Thomas, Maggie D Thomas, Charles E. Thomas Willie Thomas Harrieh C Thomas & Eliza J. Thomas.

And whereas I have by my writ, lately 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 Emma B Maggie D. Charles E Willie, Harrieh C. and Eliza J Thomas are infants under age, and cannot answer the said Bill of Complaint nor defend this suit, 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 assign and appoint a guardian for the aforesaid infants, and take the answer of the said infants, by such guardian to the said guardian's Bill of Complaint, or such guardian's Corporal Oath upon the Holy Evangelists, to be by you administered, 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 William P Mauleby Chief Judge of said Court, the 20<sup>th</sup> day of February Anno Domini 1841. ~

Issued the Seventh day of April 1841. ~

Charles Mountz, Clerk

Filed April 4<sup>th</sup> 1841 ~