

as a Court of Equity against Samuel H. Frundle 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 forasmuch as the said Elizabeth Whittaker Johnnie H. Whittaker Virginia Whittaker Paulah Whittaker and Thomas Whittaker, are Infants under age, and cannot answer the said Bill of Complaint nor defend this suit, without having a Guardian assigned in that behalf. Hence I 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 answers 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 & take the answers 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 & 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 Guardian's Oath upon the Holy Evangelists to be administered by you the said answers being distinctly and plainly unto; 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 my in said Court, Witness the Honorable Richard D. Meade Chief Judge of said Court the 3rd day of May Anno Domini 1872.

Spued the 8th day of August 1872

Jest

Charles Monty Clark,

William H. A. Frundle
by pro Ami
Samuel H. Frundle
et al

No. 3716 Equity
In the Circuit Court for Frederick County sitting
in Equity,

To the Honorable, the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The subscribers being the Commissioners named in the annexed Commission hereby certify, that in execution of the said Commission, vested in us, we did on the fifteenth day of August A.D. 1872, assign and appoint J. M. Rice Esq. of Montgomery County Guardian to 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 us administered to the Bill of Complaint in said Commission mentioned, which said answers with said Commission, is herewith returned closed under our hands and seals this 14th day of August A.D. 1872.

Harry W. Whittaker
J. E. Broadhead
Commissioners.

The answer of Elizabeth Whittaker, Virginia Whittaker, Johnnie Whittaker Paulah Whittaker, and Thomas Whittaker Infants under the age of Twenty one years by J. M. Rice Guardian to the Bill of Complaint of William H. A. Frundle 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 Bill, and being Infants of tender years submit their rights to the protection of this Court

J. M. Rice, Guardian