

No 4431 Equity

Thomas Gorsuch Esq, Clerk,

Order to assign
Commission to
Appoint Guardian

As the infant Defendants in the above Case have been returned "Summoned" you will please issue a Commission to Clayton & Buchanan to appoint a Guardian for said infants to take their Answer to Bill of Complaint in above Case

Milton S. Viner
Solr for Comps

Filed Dec 17. 1878.

State of Maryland, Sc.



The State of Maryland. To Clayton & Buchanan of Frederick County Greeting.

Commission to appoint Guardian

Whereas Chas M. Herbess & others have lately exhibited their Bill of Complaint before us in the Circuit Court for Frederick County, sitting 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 Prange Herbess & Clayton & Herbess 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 we 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 we command you that at such certain day and place as you shall think fit, you assign and appoint a guardian for the aforesaid infants, by such guardian, to the said Bill of Complaint in such guardian's Corporal Oath upon the Holy Evangelists of Almighty God, to be administered by you, the said answer being distinctly and plainly written; and when you shall have taken the said answer, you are to send them closed up under your seal together with your certificate of your having assigned and appointed such guardian as aforesaid, and this writ, unto us in said Court.

Witness the Honorable Richard J. Bowie, Chief Judge of said Court the ninth day of December, Anno Domini, 1878

Issued the 17th day of December, 1878

Test.

Thomas Gorsuch, Clerk

Charles M. Herbess, Elizabeth Herbess & others
vs
Mary Herbess Clayton & Herbess

No 4431 Equity
In the Circuit Court for Frederick County sitting in Equity.

Guardian's Commission

To 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 the execution of the powers thereby vested in me I did on the 17th day of December A. D. 1878 assign and appoint Edward A. Gelling, Esq., of Frederick County, Guardian to the infants named in said Commission and took the answer of 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

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