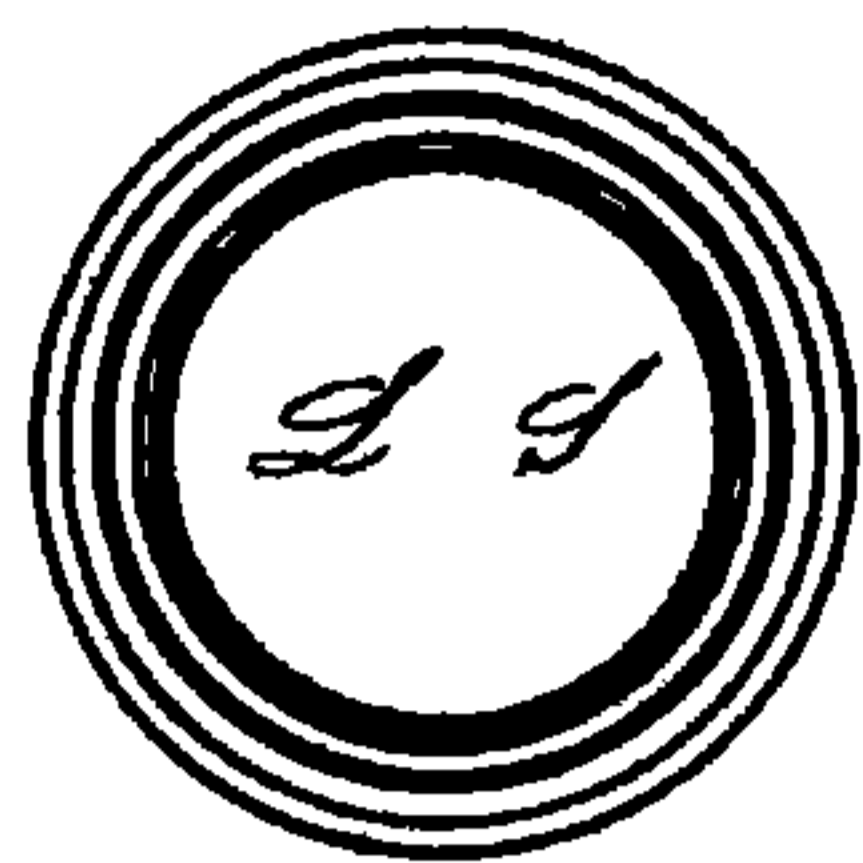


No. 4640 Equity

State of Maryland, &c.



The State of Maryland, To Alfred

Ritter Esquire of Frederick County, Greeting

Whereas John Simmons has lately exhibited his Bill of Complaint before us in the Circuit Court for Frederick County, sitting as a Court of Equity, against Thomas M. Holbroun, John W. Whalen, and Susan Whalen his wife, and others.

And Whereas, We have, by our writ, lately, commanded the said Defendants to appear before us 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 Edward Holbroun, Sheridan Holbroun, Mollie Holbroun and Louis Holbroun are infants, underage, and cannot answer the said Bill of Complaint, nor defend the suit, without having a guardian assigned in that behalf. - Now we, 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, and to take the answer of the said infants, by such guardian, to the said Bill of Complaint on such guardian's Corporal Oath upon the Holy Evangelists, 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 the same, closed up under your seal, together with your certificate of your having assigned and appointed such guardian as aforesaid, and this writ, in to us in said Court. - Witness the Honorable Richard J. Bowie, Chief Judge of said Court, the Thirtieth day of December, Anno Domini, 1880.

Issued the 23^d day of December, 1880.

Test: - Adolphus Harkake Jr, Clerk.

(Answer & Acknowledgment)

John Simmons

Thomas M. Holbroun, John W. Whalen and Susan Whalen his wife and others

No. 4640 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 execution of the powers thereby vested in me, I did, on the 23^d day of December A. D. 1880, assign and appoint William H. Helleary Esq., of Frederick County, Guardian to the infants named in said Commission, and took the answer of said infants by their 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 23^d day of December A. D., 1880.

Alfred Ritter (Seal) Commissioner

Infants Answer

The answer of Edward Holbroun, Sheridan Holbroun, Mollie Holbroun and Louis Holbroun, infants under the age of twenty one years, by William H. Helleary their Guardian, to the Bill of Complaint of John Simmons, 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.

Wm H Helleary, Guardian.

Guardian's Oath

On this 23^d day of December A. D. 1880, the above named William H. Helleary, 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.

Filed Dec. 23^d 1880

Alfred Ritter, Commissioner.

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