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Whereupon the Court here passed the following order to wit.

Nicholas Barberry Andrew Ochler &c Rose Ann Ochler ag Mary Millard & others	In this cause, it appearing that Enoch J. Millard was appointed Commissioner to appoint a Guardian to Harriot Walker, Joseph Walker and Ann Walker, minors named in the bill of the Complainants, and hath not notified to the Court here his acceptance of the said appointment, It is here moved the Court that the Complainants have the benefit of a rule upon the said Enoch J. to shew cause if any why he has not proceeded to the appointment of a guardian in pursuance of the Commission aforesaid and if such appointment has been made if the said Guardian hath answered and if not why &c

F. D. Stone Sol for Compt.

And the said cause so standing was continued until May Term Eighteen hundred and Eighteen when the Court here passed the following order to wit.

Nicholas Barberry Andrew Ochler &c Rose Ann Ochler ag Mary Millard & others	In this cause, it appearing that Enoch J. Millard was appointed Commissioner to appoint a Guardian to Harriot Walker, Joseph Walker and Ann Walker, minors named in the bill of the Complainants, and hath not notified to the Court his acceptance of the said appointment. It is here moved the Court that the Complainants have the benefit of a rule upon the said Enoch J. to shew cause if any why he has not proceeded to the appointment of a Guardian in pursuance of the Commission aforesaid and if such appointment has been made, if the said Guardian hath answered and if not why.

F. D. Stone Sol for Compt.

And the said cause so standing continued until August Term Eighteen hundred and Eighteen when Enoch J. Millard the Commissioner in the second mentioned Commission made return of the said Commission and his proceedings with the answers of the infants in the words following to wit.

To the Honble the Judges of Saint Mary's County Court sitting as a Court of Chancery of said County. We the subscribers, named in the annexed Commission for the County of Saint Mary's County sitting as a Court of Chancery of said County, in a cause in the said Court depending between Nicholas Barberry, Andrew Ochler and Rose Ann his wife Complainants, and Mary Millard, Jeremiah Booth and Ann his wife, James Walker, Milly Walker, Harriot Walker, Joseph Walker and Ann Walker Defendants, do hereby certify, that by virtue of the said commission herewith enclosed I have assigned and appointed George Mc Williams Guardian for the said Harriot Walker, Joseph Walker and Ann Walker the said Infants therein named and have taken the answer of the said Infants by their said Guardian, in writing upon his corporal oath to the bill and supplemental bill in the said Commission recited, which I herewith send enclosed. In Witness whereof I have hereunto set my hand and seal this first day of August Anno Domini Eighteen hundred and eighteen.

E. J. Millard (Seal)

The joint and several answers of Harriot Walker, Joseph Walker and Ann Walker Infants under the age of twenty one years by George Mc Williams their Guardian to the bill and supplemental bill of Complaint of Nicholas Barberry, Andrew Ochler and Rose Ann his wife the said Harriot Walker, Joseph Walker and Ann Walker by their Guardian, for answer thereunto, answer and say, that they are entirely ignorant of any of the transactions alledged to have taken place in the Complainants bill between the said Nicholas Barberry and Ann Barberry and the said Bennet Walker, nor have they, or either of them ever heard the said Bennet Walker say any thing in relation thereto, nor have they any reason to believe that the said Bennet Walker did buy the lands in the said bill mentioned in trust for any person mentioned in the said Bill, on the contrary they do believe that the reverse was the truth from the circumstance that the said Walker paid a full price for the same, that the said Walker made very extensive improvements, by erecting buildings on the said Lands, resided thereon and exercised uncontrolled acts of ownership over the said Land till his death, which happened in the year 1809. They do object and oppose the

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Complainants bill from the great length of time, which has elapsed since the purchase made by the said Walker, the omission to prosecute any claim, and the extensive and valuable improvements made thereon and that such Decree may be made in this cause as may be consistent with Equity and good conscience, hoping that as they are Infants, this Honble Court will regard their interest

George Mc Williams Guardian

Saint Mary's County sc. Be it remembered that on this first day of August in the year of our Lord one thousand eight hundred & Eighteen personally appears George Mc Williams before me the subscriber the Commissioner named in the enclosed commission for that purpose issued from Saint Mary's County Court acting as a Court of equity, and makes oath on the Holy Evangels of Almighty God, that the several matters stated in the within and annexed answers are true as stated to the best of his knowledge. Sworn to before. E. J. Millard Comm.

And the said cause so standing was continued from Term to Term of the said Court until May Term Eighteen hundred and nineteen when Enoch J. Millard the Commissioner named in the last mentioned Commission made return of his proceedings with Interrogatories and Depositions in the words following to wit.

Interrogatories produced to and left with the commissioner by Defendants this 26th day of February 1817.

1st. What was the value of the Land on which Mrs Milly Walker now lives about the year 1792 pacre, and what quantity of said Land could then be cultivated?

2^d. Was not the Land about the year 1792 very bare of timber?

3^d. What number of houses land what their condition as to repairs about the year 1792. on said Land and what number are there now and what is the condition as to repairs of said houses and who built or repaired them?

Saint Mary's County } Set. At the execution of a commission issued out of Saint Mary's County Chancery Court the 11th day of November anno Domini Eighteen hundred and sixteen, directed to Enoch J. Millard of Saint Mary's County aforesaid empowering him to examine evidences in a cause depending in the said Court between Nicholas Barberry and Andrew Ochler and Rose Ann his wife Complainants &c Mary Millard, Jeremiah Booth, Ann Booth his wife, James Walker, Harriot Walker, Joseph Walker, Ann Walker and Milly Walker Defendants, I Enoch J. Millard, the commissioner in the said commission named having met this 26th day of February in the year of our Lord one thousand Eight hundred and seventeen at the Tavern in Leonard Town in the county aforesaid pursuant to notice, and taken the oath to said commission annexed, and John Lewis Millard being appointed Clerk, and having likewise taken the oath to the said commission annexed, the Commissioner proceeded to take the following Depositions to wit.

Zephenia Gardiner aged forty nine years or thereabouts being first duly sworn on the Holy Evangels of Almighty God.

In answer to the first Interrogatory of the Defendants, this Deponent deposeth and saith, between twenty shillings and twenty five shillings and not more than from eight to ten acres was worth tending.

Item. to the second Interrogatory of the Defendants, this Deponent saith that there was no timber on it, as he grew up since.

Item. to the third Interrogatory of the Defendants this Deponent saith that there was a dwelling house, a kitchen, a meat house, and a shop about the year seventeen hundred and ninety two which were very much out of repair, and there is now a Dwelling house, kitchen, meat house, corn house, shed attached on each side a carriage house and a shop, there has been an addition to the Dwelling house and newly repaired out and out, the Kitchen has been moved from the former spot to where it now stands and has been newly covered and weather boarded also a brick chimney put to it, and a shed added with a fire place in the back of the kitchen chimney, he believes that the meat house has been repaired, the corn house was moved from the way by Major Bennet Walker to where it now stands, and has been newly shedded at each end and the carriage house built at the end, the shop is now inhabited by servants