at law of John Merchant; that they are both above the age of twenty one years; further that these defendants have no particular knowledge of the existence of the debt, set out in the said Bill of the plaintiff; that they have no certain information whether the personal estate of their father has or has not been fully administered on and settled up nor can they pretend to say whether the plaintiff has or has not a right to resort to the real estate particularly referred to in the Bill aforesaid.

They therefore pray that your Honor will require of the plaintiff or plaintiffs full and legal proof of the several allegations set forth in the said Bill of Complaint and as to the rest they submit to such order and decree in the premises as justice and equity require, and shall seem meet unto your Honor — and as in duty bound &c.

Nath.l Williams, Sol.r for defts.

Baltimore City set. On this 22d. day of March 1847, personally appeared John Perry Sarah Perry and Eliza Merchant before the subscriber a Justice of the peace for the City aforesaid, and severally made oath on the Holy Evangely of Almighty God that the facts and statements set forth in the foregoing answer are true to the best of their knowledge and belief — Sworn to before,

Henry W Gray.

And afterwards the Sheriff of Baltimore County made return of the said subpoena thus endorsed "Sum.d".

And afterwards to wit on the 12th day of March 1828 a commission in the usual form was issued to Wm. H. Gatchell, Esq.r of the City of Baltimore to appoint a Guardian and take the answer of the Infant Defendants, Susan Merchant and Joseph Merchant.

And afterwards to wit, on the 11th day of April 1828 the Commissioner aforesaid made return of his said Commission with the answer of the said Infants in the words following to wit:

Maryland, set. The State of Maryland, To Wm. H. Gatchell of Baltimore County Greeting. Whereas Samuel Harrison hath lately exhibited his bill of Complaint before us, in our High Court of Chancery against Susan Merchant and others defendants and whereas we have by our writ, lately commanded the said defendants to appear before us, in our said Chancery at a certain day now past, to answer the said bill, but for as much as the said Susan Merchant and Joseph Merchant are Infants under age and cannot answer the said bill nor defend this suit without having a guardian in that behalf: Know ye therefore, that we have given unto you full power and authority in pursuance of the special order in our 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 — and therefore we command you, that at such certain day and place as you shall think fit you go to the said defendants if they cannot conveniently come to you, and assign and appoint a Guardian for the aforesaid Infants and take the answers of the said infants by such guardian to the said bill, on such Guardians corporal oath upon the Holy Evangely to be administered by you the said answers being distinctly and plainly wrote, and when you shall

have so 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 us in our said Chancery.

(Seal) Witness the Honorable Theodorick Bland, Chancellor this 12th day of March A.D. 1828.

Test, Ramsay Waters, Regr. Cur. Can.

To the Honorable The Chancellor of Maryland. The undersigned named in a commission from the Chancery Court of Maryland in a cause in the said Court depending between Samuel Harrison Complainant and Susan Merchant and others defendants, do hereby certify that by virtue of the said commission, I have assigned and appointed John Perin guardian for the said Susan Merchant and Joseph Merchant 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 in the said commission recited which I herewith enclose.

In witness whereof I have hereunto set my hand and affixed my seal this ninth day of April 1828.

Wm. H. Gatchell, (Seal)

The separate answer of Susan Merchant and Joseph Merchant infants under the age of twenty one years by John Perin, their Guardian. To the Bill of Complaint of Samuel Harrison.

The said Susan Merchant and Joseph Merchant by their said Guardian in answering the said bill state.

That they know nothing of the several matters and things therein set forth except that the said John Merchant departed this life leaving the following children his heirs at law to wit, Sarah Perin who hath intermarried with John Perin, Eliza Merchant, Susan Merchant and Joseph Merchant.

That their father departed this life on or about the 9th day of January 1824, that as far as they know no letters of administration have ever been taken out on his estate; and that any claim of complainant if he ever had any is barred by the statute of limitations on which statute they insist. They therefore pray that the said complainant may be put to the proof of the charges contained in his bill and that such a decree may be made in this cause as may be consistent with law equity and good conscience hoping that as they are infants this Honorable Court will regard their interest and protect their rights.

John Perin, Guardian of Susan Merchant and Joseph Merchant.

Baltimore County to wit: Be it remembered that on this 9th day of April 1828 personally appears John Perin before the subscriber Commissioner as aforesaid and made oath on the Holy Evangely of Almighty God that the several matters stated in the above answer are true as stated to the best of his knowledge — Sworn before,

W. H. Gatchell, Com.r

And afterwards on the day and year last aforesaid the complainant by his solicitor aforesaid entered a General Replication to the answers of the said Defendants.

And afterwards on the day and year last aforesaid a commission was issued to the standing commissioners for the City of Baltimore to take Testimony in the said cause.

And the said cause thus standing was continued until July