June Term 1861.

H Hayman Esquire respectfully the annexed affidavit was made and who has hereto subscribed his name was at the time of so doing a Justice of the peace of the State of Maryland in and for the City of Baltimore duly commissioned and sworn

In testimony Whereof I hereto set my hand and affix the Seal of the Superior Court of Baltimore City this 13 day of January A D 1858.

Geo E Langdon
Clk Superior Court of Balto City

May pleases your name as Commissioners in Baltimore Frederick Rob Ring Frances D Jones, Shaff Stockett, Thales A Smithson and are ordered that Commission may be issued to any one or more of said persons as the Court or the Complainant may desire

May name also Assistant Commissioners of the Court of Prince Georges County or either of them at the Election of Complainant.

H S Alexander
for Solicitors

Whereupon the Solicitor for the Complainant filed in Court the following Letter from Exhibits viz

Charles H Carter
vs
Charles B Calvert
and others
Records as Exhibits of Complainant in this cause

Mr Clerk, Please accompany

J Mason Campbell
Complts Solr

State of Maryland Prince Georges County Sct

At a Circuit Court of the first Judicial District of Maryland sitting as a Court of Equity began and held at Upper Marlboro in and for Prince Georges County on the first Monday in January being the first day of the same Month in the year of our Lord 1858 and the Eighty second year of the Independence of the United States of America.

Present
The Honorable Peter W Crain Circuit Judge.
John W Webster Esquire Sheriff. Charles S Middleton Clerk

In the Record and proceedings of the same Court among others in the following Viz

Charles H Carter Trustee
vs
Charles B Calvert Robert Lee and Sedgwick H Calvert

Be it remembered that heretofore to wit on the 26 day of

June Term 1861.

December in the year of our Lord One thousand Eight Hundred and Fifty five the said Complainants by J Mason Campbell Esquire Solicitor for the said Complainants filed their Bill of Complaint in the Words following to wit

To the Honorable Peter W Crain Judge of the Circuit Court for Prince Georges County in Equity

Humbly Complaining shew to your Honor your Orators Charles Henry Carter Frances H Hall and Rosalie Eugenia his Wife Edelen Bowie and Alice his Wife of Prince Georges County Bernard Carter of the City of Baltimore and Ellen Carter Ireland Carter Carroll Carter and Mary Randolph Carter of the County aforesaid infants under the age of 21 years by J Mason Campbell their guardian and prochein ami.

That your Orator Charles Henry Carter was intermarried with Rosalie Eugenia, who was one of the daughters and heirs at law of Sarah Rosalie Eugenia Calvert deceased by her husband George Calvert who survived her about 17 years and died on or about the 28 January 1838.

That your Orator Charles Henry Carter departed this life in the year 1845 leaving issue your Orators Rosalie Eugenia Hall Alice Bowie Bernard Carter Ella Carter [illegible] Carter Ireland Carter and Mary Randolph Carter.

That on the 13 day of January 1832 Mrs Carter by her deed of marriage settlement of that date duly executed and Recorded among the Land Records of Prince Georges County in Liber A B No 7 folio 181 &c conveyed among other things all and every the Estate Real personal and mixed to which she was entitled in possession remainder and reversion to George H Calvert and Benjamin H Carter Esquires in trust for her sole and separate use for life with power to her to appoint the same thereby after her decease by her last Will and testament or instrument in the Nature thereof.

That in pursuance of said power so vested in Mrs Carter she did by her said Will and testament or instrument in the nature of and a Codicil thereto bearing dates respectively on the 16 January 1832 and 24 May 1842 and Recorded among the said Records of the County aforesaid in Liber A B No 293 &c appoint all the Estate and property to which she was in any way entitled including all that embraced by her marriage settlement to your Orator Charles Henry Carter for life remainder to her children and with power to your said Orator to appoint to the same among her children.

That by a decree of the Court of Chancery of this State bearing date on the 21 July 1840 and passed in a cause then in said Court depending between your Charles Henry