died on or about the 28 of January in the year of our Lord 1836.

That the said Wife of your Orator Charles Henry Carter departed this life in the year 1843 leaving issue your Orators Rosalie Eugenia Hall, Alice Bernard Bernard Carter Ella Carter Ingram Carter Annette Carter and Mary Randolph Carter that Mrs Calvert the mother of Mrs Carter was at the time of her death aforesaid seized in fee of certain lands or parcels or Lots of Land in Prince Georges County Maryland under a deed therefor duly executed to her on the 19 Sept 1814 by Charles John Ellicott Esquire which is recorded among the Land Records of said County in Liber J R No 2 folio 62 &c That on the 13 January 1832 Mrs Carter by her deed of Marriage settlement of that date duly executed and recorded among the Land Records aforesaid in Liber A B No 7 folio 181 &c conveyed amongst other things all her interest in the land aforesaid to George H Calvert and Bernard M Carter Esquires, in trust for her sole and separate use for life with power to her to appoint the uses thereof after her death by her last will and testament or instrument in the nature of one that in default of such power so vested in Mrs Carter she did by her last will and testament or instrument in the nature of one, and a codicil thereto bearing dates respectively on the 16 June 1832 and 24 Mar 1842 and recorded among the Will Records of the County aforesaid Liber R C No 1 folios 193 &c appoint among other things the use of the said interest in said land to her husband your Orator Charles Henry Carter for life, with remainder to her children, and with power to your said Orator to appoint the same among her children.

That by a decree of the High Court of Chancery of this State bearing date on the 11 day of July 1840 and passed in a cause then in said Court depending between your Orator Charles Henry his said Wife as complainants and the said George H Calvert and Bernard M Carter as defendants, the said defendants were removed from their office of trustees under the marriage settlement aforesaid of January 1832 and Charles B Calvert of Prince Georges County aforesaid, and Robert E Lee of the United States Army appointed trustees in their place and stead, with all the duties and powers in said settlement set forth.

That after the death of the said George Calvert and the determination of his life estate in the lands or parcels and lots of land aforesaid, it was agreed in writing by and between the one part, your Orator Charles Henry and his said Wife who were entitled to one fifth part thereof in her right and the other part by Charles B Calvert aforesaid that Charles Hill William D Clagett Hanson Penn and Daniel Clagett should view and value the same lands or parcels and lots of land aforesaid, with the appurtenances and that your Orator Charles Henry Carter and his said Wife should sell to the said Charles B Calvert, and the said Charles B Calvert

would buy the one fifth part thereof at the valuation so to be made thereof and that the said Valuers did view and value the said lands or parcels and lots of land and that it was so ascertained that the value of the said one fifth thereof of your Orator and Wife was the sum of $4083.80 (four thousand and eighty three dollars and eighty cents) and the said Charles B Calvert became and was bound to pay the said sum before the year 1843 with interest thereon from the 17 day of May 1838 when he took possession of said fifth under said agreement of sale and purchase, which possession he has held uninterruptedly ever since.

That the said Charles B Calvert was indebted to your Orator Charles Henry Carter as trustee for life under the Will of his said Wife and other accounts besides that herein set forth and was bound and assumed to pay to your said Orator the interest and dividend money on said sale and purchase, and on other accounts, and did make sundry payments on account of his general indebtedness as aforesaid but that he has made no payment to your said Orator of interest on said sale, and purchase, or of interest or dividends on said other accounts since the 6 day of January 1848 and your said Orator does not admit but denies that the whole of the interest on said sale and purchase or the of the interest or dividends on said other accounts has been paid him up to the day last mentioned, and leaves the same to be hereafter ascertained upon an account to be taken hereafter.

Further complaining shew to your Honor your Orators that the Whole of the principal debt aforesaid of $4083.80 is due and unpaid, Notwithstanding whereof and for as much as your Orators are remediless in the premises at Law.

To the end therefore that the said Charles B Calvert and Robert E Lee may upon their general and respective oaths answer the premises, and that it may be adjudged, ordered and decreed that the said Charles B Calvert account with and pay over to your Orator Charles Henry Carter all the interest now due to him in the purchase and sale aforesaid and that he may pay into this Court the said sum of $4083.80. to be invested under its direction in case the trust aforesaid of the said Marriage settlement still in the manner of the said trustee upon such trust or otherwise disposed of according to Equity and in default thereof that the said one undivided fifth of the lands or parcels of land and lots aforesaid may be sold to raise said sum of money with the costs of this proceeding and that your Orators may have all such other and further relief as their case demands.

May it please your Honor to grant to your Orators the Writ of Ch State of Maryland of Subpoena to the said Charles B Calvert and Robert E Lee to be directed commanding them and each of them at a certain day and under a certain penalty to be therein named personally to be and appear before this Honorable Court