and affix the seal of the Circuit Court for Anne Arundel County this 22d day of January 1858.

N. H. Green C.S.V.

And thereupon this cause was further continued until the second Monday in June next.

And now hereat this day to wit the 2d Monday in June being the 14 day of the same month in the year of our Lord 1858 came again into Court here as well the said Complainants as the said Respondents by their solicitors aforesaid, and thereupon the said Complainants by their Solicitors aforesaid file in Court here the following Exceptions to wit,

Charles H. Carter vs Charles B. Calvert and others	In Circuit Court for Prince Georges County In Equity No 125

The Complainants Charles H. Carter and all the defendants except Charles B. Calvert George H. Calvert and Robert E. Lee except to all and every part of the testimony in this cause taken under the order passed on the day of 1857 in Prince Georges County by O. S. Leach Commissioner which may tend to impeach the validity of the settlement of the so called Paternal succession made by George Calvert in his life time with the Complainant and his late Wife Rosalie E. Carter,

1st Because the nature of that settlement must be ascertained from the written evidence thereof already filed in the cause and which cannot be contradicted, explained or impeached under the pleadings in the cause

And they also except to all and every part of the testimony taken under said order, tending to shew errors in that settlement,

1st Because they contend that said settlement was final

2d Because such evidence cannot be offered at this stage of the cause, and they also except to the admissibility of all and every part of the evidence so taken tending to shew the amount due the said Rosalie E. Calvert or her trustees as of the death of her father George Calvert on account of the so called Paternal succession

1st Because the same is offered at too late a stage of the cause,

2d Because the amount so due is shewn by the answer of Wm. Bradley to the 14 Interrogatory of the Defendant Charles B. Calvert under the Commission returned the 7 day of September A.D. 1849 and the said defendant has bound himself to abide by that answer.

3d Because it is inadmissible under the pleadings in the

cause,

And they also except to all the defendants testimony taken under said order, and to every part thereof, as inadmissible under the pleadings in this cause,

J. Mason Campbell
Daniel M. Thomas
Solrs for Complt and for all the defendants except Chas B. & Geo H. Calvert and Robert E. Lee

12 May 1858.

And thereupon the said Defendants by their Solicitors aforesaid file in Court here the following petition to wit.

Charles H. Carter vs Charles B. Calvert	Circuit Court for Prince Georges County In Equity.

The accompanying original letters from H. B. Key to his daughter R. E. Calvert could not be procured from the office of the Circuit Court for the United States for the District of Columbia where they were filed as parcel of the Record in Morris vs Calvert, until after the time appointed for taking testimony in this cause. They are intended to shew that Dorsey Island Spurrier Island and Ottand were all purchased by Thos Calvert for the Key and former part of the Estate of the Seller at the time of his death, their genuineness is not to be questioned, altho the defendants have been unable since they were withdrawn to find any one who can verify them. It is submitted that there is sufficient internal evidence of their genuineness to justify the Court in requiring the Complainant to admit them, or in default of which admission to extend the time of proving them.

Thos. S. Alexander for defendants.

The Exhibits accompanying the aforegoing petition are sent upon this record (they being in French, were not to be copied but sent as original papers)

Upon which aforegoing petition and Exhibits the Court have passed the following order viz

In Circuit Court for Prince Georges County sitting as a Court of Equity.

Ordered by the Court that the petition be overruled because on due consideration of it of it be considered as an application for an extension of time to introduce proof there is no sufficient reason shewn why the proof could not have been introduced in time, 1st Reason which the Court do not consider a material because it is all offered to prove what has been decided to be inadmissible in this cause; the paper must be rejected as not proper and taken from the files of the Court,

May 27th 1858. P. W. Crain,

Whereupon the Complainant by his Solicitors aforesaid file in Court