Prince Georges County to Wit

On this 16 day of September 1856 before the subscriber Justice of the peace in and for said County personally appeared the above named Charles B Calvert and made oath in due form that the matters stated in the foregoing answer are true to the best of his knowledge and belief.

John H Scott J.P."

Answer of Robert E Lee

The separate answer of Robert E Lee to the Bill of Complaint of Charles Henry Carter and others against this Respondent and Charles B Calvert exhibited in the Circuit Court for Prince Georges County as a Court of Equity.

This Respondent admits that he and his co-defendant are trustees for the Complainant and became such in manner and under the circumstances set forth in the said Bill. He admits likewise that the said Charles B Carter did purchase of the Complainants Charles Henry Carter and his sister their undivided interest in the lands described in said Bill and on the terms therein mentioned.

He is advised that the purchase money for said lands form part of the trust fund for which he and his co defendant are accountable and he unites with the Complainants in their prayer that his said co defendant may account for the same. He has no knowledge of payments made by his said co defendant to the said Charles Henry Carter nor of the disposition of the three parcels of the aforesaid trust Estate as mentioned in the answer of his said co defendant which is about to be filed in this answer other than such information as he has derived from said answer.

This he is advised and submits that any interest which the said Charles Henry Carter may be found to have in said purchase money ought to be held liable to answer for any indebtedness of the said Charles Henry Carter to the said trust Estate and he unites in the prayer of his said co defendant that the accounts about to be ordered in this cause may be so taken as to shew the indebtedness of the said Charles Henry Carter to the said trust Estate and that the said trust estate may be properly indemnified out of the interest of the said Charles Henry Carter in the said purchase money and as in duty &c

Wm Alexander Jr. Solr

C C Magruder Jr. Solr.

Whereupon on motion of the said Respondents by their Solicitors aforesaid it is ordered by the Court here that the said Complainants reply to the answers of the said Respondents, and if the said Complainants do not reply to the answers of the said Respondents a Decree for confessed will be passed against them, Whereupon the said

Complainants by their Solicitors aforesaid pray the Court here that this cause be continued until the 1st Monday in February next that they they can reply to the answers of the said Respondent in the cause aforesaid, which is by the Court here granted them. At which mentioned 1st Monday in February being the 2d day of the same month 1857 come again into Court here as well the said Complainants as the said Respondents by their Solicitors aforesaid. Whereupon it is ordered by the Court here that this cause be continued from term to term until the 2d Monday in June next.

At which mentioned 2d Monday in June being the 8th day of the same month in 1857 come into Court here as well the said Complainants by their Solicitors aforesaid as the Respondents by their Solicitors aforesaid.

And the said Complainants and Respondents by their Solicitors aforesaid filed in Court here the following agreement (being the agreement filed in No 125 Equity in the case of Charles H Carter against Charles B Calvert and others removed to this Court from the Chancery of Wit

Charles H Carter
vs
Charles B Calvert
and others

Circuit Court for Prince Georges,
In Equity

The defendant Charles B Calvert and Jer H Calvert being about to file a petition to file a supplemental answer in this cause and all parties being desirous to avoid the delay which otherwise may be occasioned it is agreed that said petition and supplemental answer be filed forthwith that the general replication be entered to said answer and a commission be issued to Nicholas Pinkney of the City of Baltimore to take testimony in relation to the issue joined as well in said supplemental matter as in the original answers. That all these proceedings be taken as had de bonesse and to be subject to the objection which the Complainant reserves to said petition and which here to be at liberty to make at the final hearing to be of effect, as if had been made immediately after the filing of the petition, And if in the said hearing the Court shall be of opinion that the said defendants were not entitled to file a supplemental answer as proposed then the Court may direct such supplemental answer to be taken from the file and in this event the replication thereto is to be treated as nihil dicit and the evidence to be taken as aforesaid is to be read and used in so far only as it may be relevant to the original issue.

It is also agreed that the testimony already in the cause is to be taken and used as testimony taken under the Commission to be issued as aforesaid so far as the same may be applicable to the issues if they shall be allowed. It is agreed that the admission