

The separate answer of John Rice to the Bill of complaint exhibited against this Respondent in the Chancery Court of Sevier County in the state of Tennessee by William K Love James T Love and Preston A Love complainants.

This Respondent for answer to so much of the Complainants Bill as he is advised it is material for him to answer unto; answering saith, that he hath read the several answers of Milton Shields Samuel Shields and John Guthery put in, in this case and now on file in said Court, and this Respondent states that from all the information he has on the subject and all the knowledge he has on the facts stated in said answers he believes the matters and things stated in said answers are true and he adopts the same as part of this Respondents answer to the sforesaid Bill and this Respondent will rely on all the things stated in same answer in the same manner as if herein restated by this Respondent. This Respondent further answering saith that he was at the Holston paper Mill when the other defendant M C Rogers came there for the purpose of forming a partnership in the iron making business with David Shields and company David Shields was at that time confined to his room by sickness and the other defendant Samuel Shields was there also attending on his brother as a Physician but while the said M C Rogers continued there, this Respondent was but little time in their company and of his own knowledge knows but little of what was said or done on that occasion, and as to any thing that took place between the said M C Rogers and the other defendant or the said David Shields this respondent can only speak from information. This Respondent positively states that he never .... that the other defendant M C Rogers had had not title to the Short Mountain furnace and lands belonging to the same until sometime in the ... of 1840, and until that time he fully believed that the said M C Rogers had such title and could make a title for the same to the company of which he became a partner in this particular this Respondent was deceived and so he believes were all the members of the firm of D and M Shields & Co This Respondent was also informed and believes the information true that the said M C Rogers represented to the said David Shields at the time the partnership was formed that the ore at the Short Mountain Furnace was abundant in quantity and of first rate quality and could be obtained easily, and worked profitably all of which representations turned out to be untrue as this Respondent has been informed and believes. And in all the before mentioned particulars this Respondent was deceived as was the said David Shields as this Respondent believes and this Respondent is informed and believes that the said M C Rogers was himself deceived by the misrepresentations of the complainants or some of them. This Respondent feels no disposition to enter for between? the complainants and the other defendant M C Rogers but will resist every attempt made by the complainants to make the late firm of Shields and company liable to any claims set up by their Bill of Complaint This respondent refers to the answers of the other defendants already mentioned for a further answer to the allegations of the complainants bill and prays to here dismissed with his costs in this behalf.

Acknowledged before William A. Hawkins, Greene County, Tenn., by John Rice, 16 June 1841.