

SUPREME COURT OF THE UNITED STATES.

No. 88.

JOHN BARRON, SURVIVOR, &c., USE OF L. TIERNAN, &c.,
PLAINTIFF IN ERROR,

VERSUS

THE MAYOR AND CITY COUNCIL OF BALTIMORE.

IN ERROR TO THE COURT OF APPEALS FOR THE WESTERN SHORE OF THE STATE OF MARYLAND.

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UNITED STATES OF AMERICA, ss.—*The President of the United States to the honorable the Judges of the court of appeals for the western shore of the State of Maryland, greeting:*

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said court of appeals for the western shore of the State of Maryland, being the highest court of law or equity of the said State in which a decision in the suit could be had, before you or some of you, between the mayor and city council of Baltimore, appellants, and John Barron, appellee, on appeal from a judgment of the county court of Baltimore county, wherein was drawn in question the validity of an authority exercised under the State of Maryland, on the ground of its being repugnant to the Constitution of the United States, and the decision of the