# April Term 1869

Decree the said Mayor, Aldermen & Common Council of Frederick appealed to the Court of Appeals here, the tenor of which said Record of Proceedings is in form following to wit:

State of Maryland }
Frederick County } Set:

At a Circuit Court of the Sixth Judicial Circuit of the State of Maryland, comprehending the Counties of Frederick and Montgomery sitting as a Court of Equity, begun and held at the Court House in Frederick-town in and for said County of Frederick on the third Monday and twenty first day of September in the year of our Lord one thousand Eight hundred and sixty Eight.

Present.

Honorable Madison Nelson, Chief Judge of said Court
Honorable John A. Lynch and
Honorable W. Veirs Bowie associate Judges.
Nathan C. Neighbours Esq. Sheriff, and Charles Mantz, Clerk.

In the Record of Proceedings of the same Court amongst others were the following, to wit:

| | |
|---|---|
| George S. Groshon<br>vs<br>The Mayor, Aldermen & common Council of Frederick | No. 3417 Equity<br>In Circuit Court for<br>Frederick County in Equity |

Be it Remembered that heretofore to wit, on the ninth day of September in the year of Our Lord one thousand Eight hundred and Sixty Eight came the said George S. Groshon in the said Court here sitting as a Court of Equity by his Solicitor William J. Ross, Esquire and filed in Court here the following Bill of Complaint and Exhibit therein named, to wit:



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## Bill of Complaint

To the Honorable, the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The Bill of Complaint of George S. Groshon of Frederick County, State of Maryland Sheweth that he now is and since the fifteenth day of May Eighteen hundred and sixty seven has been the owner in fee simple of all that piece or parcel of land situate in Frederick City, State of Maryland, described and set forth in the deed from Evelina H. Birely to your Complainant dated on the fifteenth day of May in the year Eighteen hundred and Sixty seven, a copy of which deed duly certified is herewith Exhibited Marked Exhibit No. 1, which your Complainant prays together with all other Exhibits hereinafter produced may be taken as part of this his Bill of Complaint.

Your Complainant further avers that to said lands so conveyed as above mentioned and now owned by him there are valuable water rights attached.

Your Complainant further avers that he has Erected upon said lands valuable improvements necessary and proper for the business of a Coal Yard in which business as a Vender of Coal your Complainant now is and for some time past has been Engaged, receiving considerable profit therefrom.

Your Complainant further avers that the Mayor, Aldermen and Common Council of Frederick a Body Corporate, incorporated by an act of the General Assembly of Maryland, without authority granted by the Charter of said Corporation did on the first day of September in the year Eighteen hundred and sixty Eight apply to your Honorable Court for a Warrant to the Sheriff of Frederick County to authorize and Empower him to summon a Jury of five persons to Enter upon, view and condemn the land of your