Frederick Pinkney Esq. Commissioner of this Court upon giving the usual notice to the opposite party or his Solicitor.

Wm. Geo. Krebs

And afterwards to wit at the second day of October in the year aforesaid the foregoing Copy of the order Nisi aforesaid was filed in said cause to wit (see original order above on this page) which said Copy of said order is duly attested as follows to wit "True Copy Test W. H. Turner Clk." on the back whereof is thus endorsed to wit "Service of Copy admitted Sept 29th 1854 N. Poe Compts Solr." And afterwards to wit on the fourth day of October in the year aforesaid by consent of the said parties by their said Solicitor the Court passed and filed in said cause the following order to wit

George H. Stewart vs Mayor & City Council of Baltimore — In the Circuit Ct for Balto City Oct. 4th 1854. Ordered by the Court that the time for dissolving the injunction in the above cause as set forth in a former order of this Court be extended to Thursday the 12th October inst by agreement of the parties thereto.

Wm. Geo. Krebs.

And afterwards to wit on the twelfth day of October in the year aforesaid the following agreement was filed in Court here in said cause to wit.

George H. Stewart vs The Mayor & City Council — It is agreed that the affidavits of Brantz Mayer & Nath. Williams heretofore filed & marked G. H. S. No 1. G. H. S. No 2. may be read at the hearing of this cause in the same manner & to the same effect as if the testimony of said Mayer & Williams had been regularly taken & returned by the Commissioners named in the order of the court subject to all legal exceptions

Benj. C. Presstman Solr for Deft.

The affidavits marked "G. H. S. No 1." and "G. H. S. No 2." referred to in the foregoing agreement are as follows to wit.

Stewart vs The Mayor & City Council of Baltimore & others — In the Circuit Court for Baltimore City. State of Maryland — City of Baltimore Sct. Be it remembered and it is hereby certified that on this tenth day of October 1854 before the subscriber a justice of the Peace of the State of Maryland in and for said City personally appeared Brantz Mayer who at the request of Geo. H. Stewart being duly sworn according to law deposed as follows, That he has recently seen on the said G. H. Stewart property called "Maryland Square" two boundary stones marked with scrop on their upper surface the first of which is planted on the line of the North side of Baltimore Street in a bank near an edifice which has as Deponent believes been always used as a Milk House West of Munroe Street as marked on Poppletons Map on said property and the second of which is placed at or about 380 feet Easterly from the first mentioned stone on the line of the North side of Baltimore Street. Deponent distinctly recollects the planting of the aforesaid stones in

these localities upwards of thirty years ago by some person or persons who had public authority to plant the said stones.

Deponent has a distinct recollection of this occurrence as he then lived upon this property which at that period belonged to his father the late Christian Mayer.

Brantz Mayer

Signed and Sworn to before Cor. J. Peter Justice of the Peace of the State of Maryland &c.

Stewart vs The Mayor & City Council of Baltimore — In the Circuit Court for Baltimore City. State of Maryland City of Baltimore Sct. Be it remembered and it is hereby certified that on this tenth day of October Eighteen hundred and fifty four before the subscriber a justice of the Peace of the State of Maryland for the City of Baltimore aforesaid personally appeared Nathaniel Williams the surviving one of the Commissioners appointed and acting under the act of Assembly passed at December Session 1817 chap 148 Entitled "An act relating to the City of Baltimore" and made oath that he has yesterday seen on the ground of George H. Stewart the above named Cornplummt a granite boundary stone marked on the top with a Cross planted on the line of the North side of Baltimore Street a few feet Easterly from a Milk House and at the distance of one hundred and forty seven feet Westerly from the West side of Munroe Street which stone was planted by the said Commissioners and their Surveyor to mark the intersection of the North line of Baltimore Street and the West side of the Public Square laid out by them and delineated on Poppletons Plot as "Dr Stewarts" being one of the Public Squares referred to in their Certificate marked on said Plat and in their Report to the Mayor and City Council of Baltimore bearing date the first of February eighteen hundred and twenty two. Deponent at the same time (yesterday) saw another similar boundary stone on the line of the North side of Baltimore Street at the distance of one hundred and forty seven feet Easterly from the East side of Munroe Street which last mentioned stone was planted there by the same authority to mark the intersection of the Eastern side of said Square with the aforesaid North line of Baltimore Street. Deponent further states that the Dwelling House and other buildings on the said ground of George H. Stewart were erected prior to 1817. And the said Deponent further states that according to the belief & presumption of this Deponent it was in contemplation of the laying of said Square at the intersection of Baltimore & Munroe Streets that the Commissioners stopped the two nearest twenty feet Alleys "Addison Alley" and Goldsmith Alley at Fayette Street and recommenced one of them at the Frederick Turnpike Road and the other at Goodloe now Lombard St. so that the extension of said Alleys on to the East & the other to the West of said Square & so near it might not interfere with the improvements that might then after be made