he alleges that heretofore a certain Conrad R. Fite as administrator of a certain Conrad Reimeker deceased sold at public auction the following described property to wit; all that lot of ground on the South East Corner of Baltimore and Liberty Streets Eighteen and one half feet front on Baltimore Street by seventy three feet on Liberty Street widening on Liberty Street to thirty five feet and that the said Lot together with the improvements thereon were sold by the said administrator to him the said Cherry and that the purchase money therefor hath been satisfied and he the said Cherry put in possession that the improvements on said Lot consist of a three story brick House on Baltimore Street fronting on said Street Eighteen and one half feet and extending about thirty two feet, the rear Wall of which said House is about thirty four feet in width and also a back building adjacent to said House fronting on said Liberty Street leaving in the rear of said back building a portion of said lot above described of about four feet in width at its widest point and narrowing to a point at the North East intersection of the Wall of ~~which~~ said Back Building with the Wall of the building on Baltimore Street that in the rear Wall of said Back Building there are certain Windows and lights which open upon the said portion of the Lot sold to him the said Cherry described in the plat accompanying his said Bill in Yellow paint four feet wide and upon an open Lot adjacent to said four feet part of which said Cherry's Lot and which said adjacent Lot was at the time of the sale aforesaid in the possession of the administrator aforesaid and that the said Back Building and the windows and lights therein have been standing and used for above forty years without let or hinderance in their present condition and that for the said space of forty years the eaves and roof of said back Building have projected over the said portion of said Cherry's Lot four feet wide and the water falling on said roof has been accustomed to run and drain over said four feet lot and the lot vacant adjacent thereto at the time of said sale in the possession of the administrator aforesaid and that now nevertheless you the said Myer Stein, Samuel Stein, Daniel Stein, Solomon Stein, Henry R. Reynolds and J. Reynolds wrongfully and to the great injury and damage of him the said Cherry have dug away the entire portion of his said Lot in the rear of his said Back Building to the depth of several feet and are proceeding to lay the foundation of a Wall therein and are actually engaged in building said Wall in contact with the rear wall of said Cherry's Back Building and which so being erected will deprive him the said Cherry of a strip of the Lot sold him as aforesaid and will effectually stop up and darken and render useless the lights and windows of his Back Building aforesaid and will also prevent the projection of the eaves and roof aforesaid over his said Lot and so forth.

Now therefore these presents are strictly to command and enjoin and prohibit you the said Myer Stein, Samuel Stein, Daniel Stein, Solomon Stein, Henry R. Reynolds and J. Reynolds and each of you, your and each of your servants and agents to surcease digging away or upon the said portion of said Cherry's Lot in the rear of the back building aforesaid of the width of four feet at its southern extremity and running northerly thirty nine

feet to a point at the extremity of the Wall of the said Back Building where it adjoins said Cherry's house fronting on Baltimore Street and from building the Wall aforesaid and also from erecting said Wall therein so as to darken and shut up the windows and lights in the Back Building aforesaid and from distributing or removing or in any wise interfering with the eaves and roof of said Back Building or with the free drainage of the water therefrom over the said Lot in the rear of said Back Building belonging to said Cherry or over the vacant Lot adjacent thereto and from digging or undermining the North East corner of said Cherry's house fronting on Baltimore Street and from further prosecuting any excavations or building upon the front of said Cherry's Lot on Baltimore Street until the further order of our said Court in the premises.

Witness the Honorable William George Krebs Judge of our said Court the Eleventh day of September A.D. 1854.

Issued 13th September 1854.

Wm. N. N. Turner Clk.

The State of Maryland

"Seal" To Myer Stein, Samuel Stein, Daniel Stein, Solomon Stein, Henry R. Reynolds and J. Reynolds of Baltimore City, Greeting: We command and enjoin you that all excuses set aside you be in your person before the Judge of the Circuit Court for Baltimore City at the Court House in said City, on the Second Monday of November next to answer the Complaint of Salmadge F. Cherry against you in the said Court exhibited. Hereof fail not, as you will answer the contrary at your peril.

Witness the Honorable William George Krebs Judge of our said Court the Eleventh day of September in the year of our Lord Eighteen hundred and fifty four. Issued the 13th day of September 1854

Wm. N. N. Turner Clk.

And the Sheriff of Baltimore City to whom the said Writ of Injunction aforesaid was delivered to be served makes return thereof to the Court here thus endorsed, to wit;

Served upon Myer Stein, Saml Stein, Daniel Stein, Solomon Stein Henry R. Reynolds and J. Reynolds Sept 13th 1854 in the presence of John J. Daneker and Wm E. Wright

Saml Hindes Shff

And the Sheriff aforesaid to whom the aforegoing subpoena was also delivered to be served makes return of the same to the Court here thus endorsed, to wit; "Summoned omnes Saml Hindes Shff"

And afterwards to wit, on the fifteenth day of September in the year aforesaid came into Court here the said Myer Stein, Samuel Stein, Daniel Stein, Solomon Stein, Henry R. Reynolds and J. Reynolds by William F. Frick Esquire their Solicitor and filed in a certain answer their joint and several answer as follows to wit;

To the Honorable William George Krebs Judge of the Circuit Court of Baltimore City

The joint and several answer of Myer Stein, Samuel Stein, Daniel Stein, and Solomon Stein, Henry R. Reynolds and J. Reynolds, to the Bill of Complaint recently filed against them