your petitioner owner thereof as aforesaid, did by virtue and in pursuance of a certain Act of the General Assembly of Maryland Entitled an Act for supplying the City of Baltimore with pure Water and passed the 27th day of May A.D. 1853 Ch. 376 I made application to a certain James W. Wings then being a Justice of the Peace of Baltimore County aforesaid to issue his warrant to the Sheriff of said County as in such case authorized and provided by the Act of Assembly aforesaid; and thereupon the said Justice of the Peace issued a certain Warrant to William Pole Esquire then being Sheriff of the said County commanding him to summon a jury of twenty freeholders as provided by said Act of Assembly to proceed to take an inquisition of the damages which your Petitioner would sustain by the use and occupation of his said property by the Mayor and City Council of Baltimore and in pursuance of said Warrant and of the Act of Assembly aforesaid such proceedings were had in and form as directed & authorized by the said Act of Assembly that an Inquisition was taken in due form of law in the premises and by the said Sheriff was on the Eighth day of September A.D. 1856. returned to the Clerk of the Circuit Court for Baltimore County and by said Clerk filed in his office: and the said Inquisition being so returned and filed was by the said Circuit Court for Baltimore County at the next Session thereof that is to say at the November Term of the said Court next succeeding the taking and return aforesaid of the said Inquisition duly confirmed no sufficient cause to the contrary having been shown: all which proceedings and especially the said Inquisition more fully and particularly appear in and by a certain transcript of the record thereof as the same has been recorded by the said Clerk of the Circuit Court for Baltimore County; and the said Transcript duly authenticated by the hand of the said Clerk and the Seal of the said Court thereto affixed is filed herewith and your petitioner prays that the same be taken as a part of this petition. And your petitioner further represents that on or about the Eighteenth day of July A.D. 1856 and previous to the taking of the said ~~aforesaid~~ inquisition. your Petitioner received from the said Mayor and City Council of Baltimore (through certain agents of the said Mayor and City Council having authority to deliver the same) a certain notice in writing bearing date the day and year last mentioned: which said notice (marked Petitioners Exhibit B.) is herewith filed and prayed to be taken as a part of this petition and the property of your petitioner mentioned in said notice is the same land mentioned and condemned in and by the inquisition aforesaid.

And your petitioner further shews that in and by the doings and proceedings aforesaid of the Mayor & City Council of Baltimore in and about the condemnation of your petitioner's said property and by the taking of the said inquisition at the instance of the said Mayor & City Council as aforesaid your Petitioner was put to great expense for counsel fees and other charges necessarily occasioned to your Petitioner thereby and also was and is greatly

disturbed and injured in his possession and enjoyment of said land.

And your petitioner further represents that in and by the said inquisition duly taken as above mentioned at the instance of the said Mayor and City Council and confirmed as aforesaid by the Circuit Court for Baltimore County it was found and determined that your petitioner's said land was required by the said Mayor and City Council for conveying water into the said City of Baltimore and that the damage which your Petitioner would sustain by the use and occupation of said land by the said Mayor & City Council of Baltimore for conveying water to the said City were and are thirty thousand dollars: and thereby it was conclusively adjudged assessed and ascertained that by reason of the premises the said sum of thirty thousand dollars should be paid to your petitioner for his said property by the said Mayor and City Council of Baltimore.

And your Petitioner further represents that in and by the said act of Assembly by virtue whereof the said inquisition was taken as aforesaid it is enacted and declared that for the purpose of defraying the expenses and costs of any lands taken or purchased for the purposes of the said act the said Mayor & City Council of Baltimore shall have authority in the name of the said City of Baltimore to issue certificates of debt in manner & form as provided in the said act; nor hath the limit imposed by law upon the exercise of said power to issue such certificates that is to say the limit of two millions of Dollars of Stock ever been reached or nearly reached; and therefore the said Mayor and City Council by virtue of the said Act of Assembly and especially the third Section thereof (and that without exceeding the limit aforesaid) have full power by the issue and sale of such certificates of debt to procure funds for the payment of all the money awarded and adjudged to be due to your petitioner in and by said inquisition: but the said Mayor and City Council have hitherto failed and refused to exercise their said power in behalf of your petitioner.

And your Petitioner further sheweth to your Honor that the said sum of thirty thousand dollars being due from the said Mayor and City Council of Baltimore to your Petitioner as aforesaid. your petitioner did on the twenty first day of April in the year of our Lord 1857 demand of the said Mayor and City Council of Baltimore payment thereof but to pay the said sum the said Mayor and City Council of Baltimore utterly refused and still continue to refuse and your Orator never hath been paid the said sum of money or any part thereof although your petitioner is now and at all times hath been ready and willing to do all on his part to be performed in the premises and to comply with and fulfil in all particulars the requirements and provisions of the said Act of Assembly and all other his duty in the premises.

And for as much as your Petitioner hath no adequate remedy in the premises save in the present application to this Court now therefore the said Petitioner humbly prays that the writ of Mandamus may issue from this Court commanding the said Mayor and City Council of Baltimore forthwith to provide & procure funds in manner according