The Petition of the Plaintiff in the above cause respectfully states that a rule has been served upon them to show cause why the inquisition returned in said cause on behalf of the Defendants therein named should not be confirmed and that the order laying said rule is limited in point of time to the 30th of this present month of January. Your Petitioners further state to your Honor that they are not now prepared to say looking to the public good whether they desire that said Inquisition should be confirmed or not or whether to abandon all claim or demand heretofore made for the condemnation of the property mentioned in said Inquisition. Wherefore your Petitioners pray that the said rule to show cause heretofore served upon them may be enlarged so as to afford your Petitioners an opportunity of acting in the premises advisedly until to morrow two weeks and your Petitioners as in duty bound will ever pray &c.

G. L. Dulany Atty for Petitioners

Which being read and heard the Court passed the following order to wit; Ordered upon the aforegoing petition that the rule to show cause laid on the Plaintiff be enlarged so as to allow them time to comply with the said rule until to morrow two weeks.

Jno H. Price Jany 29th 1857.

And afterwards to wit on the 20th day of February in the year last aforesaid the Mayor and City Council of Baltimore aforesaid by Wastin L. Dulany Esq their Attorney files in Court here the following objections to confirmation of the Inquisition aforesaid to wit;

The Mayor & City Council of Baltimore vs George W. Graff } In the Circuit Court of Baltimore — Inquisition

The said Plaintiff comes here into Court by G. L. Dulany its Attorney and shows cause why the inquisition therein returned should not be confirmed.

Because the said Defendant George W. Graff hath no right in law to demand confirmation thereof. And 2nd because the Mayor and City Council doth not desire to have the same confirmed and hath made no application to this Court for that purpose and on the contrary thereof hath abandoned all design and intention to use and occupy the land and water rights of the said Defendant the damages whereof are mentioned and assessed in said Inquisition and have disclaimed all right title and demand thereto and doth hereby move the Court here to dismiss the said Warrant and other proceedings for the condemnation of the land of said defendant mentioned in said cause. And the said Plaintiff files herewith a certified copy of the ordinance marked Exhibit "A." in and by which the original ordinance for the condemnation of land and water and water rights on Stony Run of which the land mentioned in said Inquisition in part is repealed and the scheme of the introduction of water into the City by that mode entirely and forever abandoned and 3rd because in and by the original ordinance approved 17 July 1856 the operation thereof is confined upon the whole cost of the land and water and water rights upon Stony Run of which the said property of the Defendant is a part not exceeding in the whole the sum of Seventy thousand Dollars whereas the damages assessed in the

whole for the water land and water rights on said Run by the different Juries of Inquisition amount in the whole to the sum of Dollars

G. L. Dulany Plaintiffs Attorney

The Exhibit referred to in the foregoing objections is as follows to wit;

An Ordinance to repeal so much of Ordinance 44 approved 17th July 1856 as relates to Stony Run.

Section 1. Be it enacted and ordained by the Mayor and City Council of Baltimore that so much of the plan of introducing water into this City as recommended in a Report of the Joint Special Committee on Water made to the City Council of Baltimore on the 30th day of June 1856 as regards Stony Run be and the same is hereby repealed; and be it further enacted that so much of the ordinance number forty approved 17 July 1856 as adopts the plan of the introduction of water into the City by the Way of Stony Run or makes provision for the purchase or condemnation of land water or water rights or the erection of reservoirs on Stony Run or appropriates money of any of said objects be and the same are hereby repealed saving only such sums as have been already paid or contracted for by the Board of Water Commissioners under said provisions.

Section 2. And be it enacted and ordained that Wastin L. Dulany Esq Counsellor be and he is hereby requested to appear and resist the confirmation of any and all inquisitions which may heretofore have been had upon any land, water or water rights on Stony Run and which have or may hereafter be returned by the Sheriff of Baltimore County to the Circuit Court of said County.

Jno F. McSilter
Pres't of the First Branch
Jno B. Seidenstricker
Pres't of the Second Branch

Approved January 30th 1857.
Thomas Swann
Mayor

City Register's Office Baltimore Feby 7th 1857.

I, John A. Thompson City Register do hereby certify that this is a correct copy of an ordinance now on this Office

Jno A. Thompson Register

(Seal of Office)

Whereupon the Court passed the following order to wit.

In the matter of the Inquisition as to damages sustained by George W. Graff for lands for use of Mayor & City Council of Baltimore } In the Circuit Court for Baltimore County November Term 1856.

The proceedings in this cause having been read and considered and Counsel having been heard as well on behalf of the Mayor & City Council of Baltimore as of the said George W. Graff it is thereupon this twenty fourth day of February A.D. 1857. by the Hon H. Price Judge of the said Circuit Court for Baltimore County and by the authority of the said Court ordered adjudged and decreed that the said Inquisition taken as in the said proceedings appears and by the Sheriff of said County returned to the Clerk of the said Court be and the same is hereby ratified and confirmed no sufficient cause to the contrary having been shown.

Jno H. Price

Test: H. M. Fitzhugh Clk