whereof and in as much as your Orator is remediless in the premises at and by the direct and strict rule of the Common Law and cannot have adequate relief save in a Court of Equity where matters of this and like nature are properly Cognizable and Relievable and that the said defendants may full and true direct and perfect answers make to all and singular the matters hereinbefore stated and charged as fully and punctually as if the same were hereinafter repeated and they thereto distinctly interrogated and that in the meantime an Injunction may be ordered by this Honorable Court to restrain the said defendants from cutting down any further timber or further proceeding in the planting & erecting said Stone pillar or abutment or in any further digging in and through said land or building any brick or stone wall thereon and thereby & thereby the introduction of water through the same or any further trespass therein May it please this Court to grant unto your Orator the State, Writ of Injunction directed to the said William H Bryan Alfred L Rives, William H Piles, John Cameron, James Paine James Hutchinson and John Moore their agents and servants Commanding them and enjoining them and every of them against cutting down and further timber on the said land of your Orator or further proceeding in the planting & erecting any Stone pillar or abutment thereon or thereon or any further digging in or through the said land of your Orator a building brick & Stone wall thereon & thereby & the introduction of water through the same & any further trespass therein and also that the State Writ of Subpoena to be directed to the said William H Bryan, Alfred L. Rives, William H Piles, John Cameron, James Paine James Hutchinson and John Moore Commanding them on a certain day therein to be named personally to be and appear before this Honorable Court then and there to answer the premises and to stand to and abide such order and decree therein as this Honorable Court shall seem agreeable to Equity and good Conscience. And your Petitioner shall ever pray &c.

John S. Tyson
Charles F. Mayer
Solicitors for Compl't

United States of America
District of Columbia
City of Washington, To wit:

On this 8th day of April A. D. Eighteen Hundred and fifty Eight before the subscriber Commissioner of the State of Maryland for taking acknowledgments affidavits & reading at Washington City aforesaid personally William C. Reddall Complainant in the within Bill of Complaint named and made oath that the facts contained within the said bill are true to the best of his knowledge and belief.

W. C. Reddall

Seal Sworn and Subscribed before me
N. Callan
Commissioner for the State of Maryland.

Which being read and duly considered by the Court, the Court pass the following order, to wit:

Circuit Court for Montgomery County
March Term 1858.

The Complainants in this Bill set their right to an injunction upon the unconstitutionality of the act of 1853 Ch 179 of the Legislature of Maryland authorizing the alternative purchase or condemnation of land for the use of the Washington Aqueduct. This question was fully considered by the Court and decided upon full argument and both sides in the case of the United States vs Anderson the Court pronouncing the act to be constitutional. It is to be presumed that the proper steps were taken to purchase or condemn the land on which the trespass has been committed. It is not alleged in the bill that they have not, and this Court will obstruct a great public work which it thinks this to be upon light grounds such as might induce it to grant an injunction in the case of a trespass by a mere private individual.

An Injunction is refused in this case.

Rich. Brewer.
Circuit Judge
May 12th 1858.

And thereupon the said William C. Reddall by his Solicitors aforesaid prays an appeal from the judgment of the Court here so as aforesaid rendered to the next Court of Appeals of Maryland, and to him it is granted. It is thereupon ordered by the Court here that a transcript of the record and proceedings in the plea aforesaid with all things thereunto relating be transmitted to the Court of Appeals of Maryland, and the same is transmitted accordingly.

State of Maryland, Montgomery County Set.

In Testimony that the aforegoing has been truly taken and copied from the record and proceedings in my office.

I hereto set my hand and affix the seal of the Circuit Court for said Montgomery County this Twenty Fourth day of May one thousand Eight Hundred and fifty eight.

James G. Henning Clk

Seal Plaa
Cost of Record
Seal Certificate 3.66

of the Circuit Court for Montgomery County

Now come into the Court of Appeals here as well the said William C. Reddall by John S. Tyson and Charles F. Mayer Esquires his attorneys as the said Wm H. Bryan, Alfred L. Rives and others by A. Randall, A. F. Hagner and J. Brewer Esquires