and the said cause is standing was further continued until the second Tuesday of May instant. At which said second Monday of May to wit in the year last aforesaid came again into Court here the parties aforesaid by their Solicitors aforesaid, and afterwards to wit on the 17th day of May the following agreement and Exhibits marked Defendants Exhibits No 1 and No 2 were filed in said cause to wit.

Augustus Boulden et al vs The Mayor and City Council of Baltimore et al } In Circuit Court for Baltimore City.

Samuel W Rogers et al vs Same } In Circuit Court for Baltimore City

It is agreed that the papers marked R No 1 R No 2 and R No 3 shewing the title of Caroline Rogers in Lots on Bell Air Avenue shall be received in Evidence as if duly proved. It is also agreed that Hezekiah Harrod Boulden and Augustus Boulden have and hold the Estate and interest in the respective Lots of ground mentioned in their Bills as aforesaid set forth. It is further agreed that prior to the passage of the Ordinance to open and condemn Bell air Avenue Notice was given as appears by Defendants Exhibit No 1 It is further agreed that Notice of publication of March 23d 1853 annexed to the Return of the Commissioners to open and condemn Bell air Avenue in relation to an appeal therefrom was given by the City Register. It is further agreed that the Defendants Exhibit No 2 is a copy of the petition made by Charles Rogers and others to the Mayor and City Council of Baltimore to change the grade of Bell air Avenue between Ann and Chapline St Streets and to be received in Evidence to the same Extent as if the original were produced. It is further agreed that the papers marked No No 2 and No No 3 being copies of the reports of sales made by Edward Hinkley Trustee are to be received as Evidence to the same Extent as if a full copy of the record of proceedings in the case were produced and that the paper marked No No 1 being a copy of the proceedings in the Matter of Rogers Appeal in relation to the regrade of Bell air Avenue and have the same effect as of the original aforesaid. It is further agreed that there is no error in the return of the Commissioners in stating that it is admitted that Joseph T Mears signed the original application of which Complainants Exhibit No No 4 is a true copy but it is admitted that Joseph T Mears signed the power of Attorney to Benjamin A Lavender a copy of which is annexed to and forms a part of Complainants Exhibit No No 4.

R J Boulden for Complts
Geo M Gill for defts

Defendants Exhibit No 1st

Notice of Street opening.

Notice is hereby given that application will be made to the Mayor and City Council to Open Bell air Avenue or North Gay Street as laid down in Appleton's Plat from Pond Lane to the North Avenue, also to open Washington Street from Hampden Street to Bel air Avenue and from Bel air Avenue to the North Avenue of the City.

R.

Office of the American
Balto May 11th 1858

This is to certify that the above is a true Copy of an advertisement that was published in the American (a daily Newspaper published in the City of Baltimore) on the 16 day of January 1851.

Abbott and Tatlow
per John H Hall

Office Republic and Argus
Balto May 11 1858

This is to certify that the above is a true Copy of an advertisement that was published in the Republican and Argus (a daily Newspaper published in the City of Baltimore) on the 16 day of January 1851

H B Richardson & Co
per J A Richardson

Defendants Exhibit No 2

To the Hon the Mayor and City Council of Baltimore

The petition of the undersigned a Majority of the owners of the ground fronting on Boulden Avenue or Gay Street situated between Ann Street and Christopher Streets Respectfully represents that it is essentially necessary that a change should be effected in the grade of said Ann Street and Chapline St Streets to that end the undersigned pray the passage of an Ordinance to authorise a change of said grade.

Charles Rogers.
Wm Lea Jr
Fred K Hilbery
J W Gerkleman

Office of City Register
Balto May 7th 1858.

I hereby certify that the above petition and endorsement on the back of this paper is a correct copy of the original now in this office

Thos A Thompson
Register.

On the back whereof is the following Endorsement to wit
Petition of Chas Rogers and others. In the Branch Dec 5 1853.
Read and referred to the Joint Com on Highways.