against said Hess in this Court, Now the Condition of the above Obligation is such that if the above bounden Solomon McCabe shall perform such order or Decree as the said Court shall finally pass in the premises on the hearing of the parties then this obligation to be void, Otherwise to be and remain in full force and Value in Law,

Signed Sealed and delivered in presence of Charles W Ridgely

Solomon his mark McCabe (Seal)

James H Davis (seal)

Which said Bond is then endorsed to Wit I do hereby certify this Bond to be sufficient and approve the same,

J Thomas Adams clk

Whereupon issued injunction and Subpoena prayed in form following to Wit,

Subpoena as prayed in form following to Wit.

The State of Maryland

To Charles D Hess

Whereas Solomon McCabe has exhibited bill in our Circuit Court for Baltimore City last Bill of Complaint for relief in Equity and for an injunction to restrain you the said Charles D Hess from leaving down breaking up destroying or in any way interfering with the House and premises of the said Solomon McCabe known as No 12 Walsen Street until the Matter shall be heard and determined in Equity Now therefore these are to command and strictly enjoin and prohibit you the said Charles D Hess your Agents Servants or Workmen from leaving down breaking up destroying or in any way interfering with the house and premises of the said Solomon McCabe known as No 12 Walsen Street until the further Order of our said Court in the premises,

Witness the Honorable William George Krebs Judge of the Circuit Court for Baltimore City the 9th day of March 1863,

Issued the 11th day of March 1863.

J Thomas Adams clk

The State of Maryland

Charles D Hess of Baltimore City Greeting

Respondeas. We command and enjoin you that all excuses and excuses you being your person before the Judge of the Circuit Court for Baltimore City at the Court House in said City on the second Monday of May next to answer the Complaint of Solomon McCabe against you in 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 9th day of March 1863.

Issued the 11th day of March Ann Domini 1863.

J Thomas Adams clk

And the Sheriff of Baltimore City aforesaid to whom the said foregoing Injunction was delivered to be served makes return thereof to the Court on the same endorsed to Wit,

Injunction served on Dan McCoy on the 11 day of March 1863 at 2 o'clock P M in presence of F. P. Scott, Also served on Charles D Hess on the 11 day of March 1863 at 4½ o'clock P M in presence of F P Scott also served on Dan McCoy and Wm N Naff March 26 1863 at 4 5 Minutes after 11 o'clock A M in presence of F P Scott; Injunction served

on E D Pollett on the 28 day of March 1863 in presence of Mose,

Edward R Sparks Shff

And the said Sheriff aforesaid to whom the said Subpoena was also delivered to be served makes return thereof to the Court on the same endorsed to Wit

Summons Edw R Sparks Shff

And afterwards to Wit on the 26 day of March in the year aforesaid the said Complainant by his Solicitor aforesaid filed in said Cause the following petition to Wit.

To the Honorable Wm Geo Krebs Judge of the Circuit Court for Baltimore City

The petition of Solomon McCabe respectfully represents to your Honor that Chas D Hess the defendant in above case duly served the injunction filed by your petitioner and issued by the Clerk of this Court on the 11th instant upon the order of your Honor, and also a certain Edward D Pollett his agent and employee has also disregarded the said Injunction both deliberately and contemptuously disregarding the said Injunction, and in violation of the same the said Hess through the Agency of the said Pollett and of sundry Workmen engaged and working under the direction and orders of said Hess and said Pollett said the served after the service of the said injunction has dug away and removed a large amount of earth from the said Lot of ground of your petitioner mentioned in his Bill of Complaint filed against the said Hess upon which the said Writ of injunction was issued and has undermined the said dwelling house No 12 Walsen Street standing on the said Lot of ground and belonging to your petitioner as alleged in his said Bill and has also dug away and removed a portion of the back building of said dwelling house, and has fractured the same and also a large portion of the foundation of the said Lot, and has made a long excavation of the earth upon the said Lot of ground along and near to the West line thereof and has begun the erection of a Brick Wall now in some places over five feet high, in the said excavation and upon the said Lot your petitioner and in fact the said Hess and Pollett with the aid of said Workmen are now engaged in building a Brick Wall and back building part of the dwelling and adjoining ground and part of each on the said Lot of ground of your petitioner disposing as they proceed the said Buildings of your petitioner on his said Lot in violation and contempt of the said injunction granted to your petitioner and of his right of property; all which will appear by a proper Crosbill filed marked Exhibit C E and prayed to be taken as part of this petition. Therefore your petitioner prays that a Writ of Attachment may be issued by your Honor against the said Charles D Hess for his violation of the injunction granted and served upon him as aforesaid and as in duty bound,

Charles W Ridgely
Solicitor for Petitioner

The Exhibit marked C. E. referred to in the foregoing petition is as follows to wit

State of Maryland Baltimore City ss.

On this 25th day of March 1863 before the Subscriber, a Justice of the peace of said State in and for said City personally appeared Mrs Catherine Enright wife of Henry Enright and made oath on the Holy Evangels of Almighty God, that she and her said husband who is sick in bed, occupy the house and Lot No 12 Walsen Street belonging to Solomon McCabe, that the adjoining ground on the West, as owned or said to be owned by Charles D Hess, that the said