Charles D. Hiss on or about the 11th day of this Month cause the weather boarding to be stripped or sawed off at the front Corner of the said House occupied by this Witness for the space of about 13 inches all the way up the front Wall of the House to the roof; and the shingles all along the roof itself, and some of the Weather boarding to be removed from the end of the House; when he stopped work for a while; That this Week he has been busy again and he and Mr. Pollock his Men, with other Workmen have dug away the earth to the depth of about seven feet, and of the Wall of about 13 inches about back way the extent of the end of the said house No 12 Walsh Street occupied by this Witness and her said husband, inclosing thereby the said house and that they have built a Wall in the place where the said earth has been dug away and raised the Wall in front up to the floor of the said House No 12 Walsh Street that they have also taken away a part of a back building of the House No 12 Walsh Street, and a large portion of the fencing of the said Lot belonging to Solomon McCabe on which the said House stands and have dug away the earth from the said Lot to about the Wall of a foot or upwards and for a space of between 20 and 30 feet, and from a depth of from twelve feet and have built therein upon the Lot of said McCabe and within where the said back building and fence stood a Brick Wall to the height of four or five feet when they ceased work last Night,

Sworn before, P. Wilson J. P.

Which being read and heard the Court here passed the following order to Wit

Solomon McCabe.
vs
Charles D. Hiss

In the Circuit Court for Baltimore City
March Term 1863

Upon proof to the satisfaction of the Court that the Writ of injunction issued by the Clerk of this Court, on the 11th inst in this cause was duly served upon the Defendant Charles D. Hiss, and that the Defendant has not obeyed the said Writ of injunction, but has acted in disregard and Contempt of the same, It is Ordered by the Court this 26 day of March 1863, that the Clerk of this Court issue an attachment to the Sheriff of Baltimore City commanding him to attach the Body of the said Charles D. Hiss, and have him before the Judge of the Court, at the Court House in said City forthwith to answer as well touching the said alleged contempt as to such other matters and things as shall be then and there alleged against him,

Wm. G. Krebs.

Thereupon issued the Writ of Attachment as prayed in form following to Wit.

Maryland Sct

Seal.

To the Sheriff of Baltimore City Greeting

You are hereby Commanded that you attach the Body of Charles D. Hiss of he shall be found in your bailiwick and him safe keep so that you have him before the Judge of the Circuit Court for Baltimore City at the Court House in the same City immediately on this 26 day of March to answer as well touching a certain Contempt by him Committed in not obeying the Writ of injunction issued against him by the Clerk of this Court pursuant to the order of this Court against him in the said Court Exhibited as to such other matters and things as shall be then and there alleged against him;

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 26th day of March 1863

Thomas Adams Clerk.

Received the Sheriff of Baltimore City aforesaid to whom the said Writ of attachment was delivered to execute made return duly to the Court here this endorsed Wit.

Attached Edward R. Sparks Shff.

And afterwards to Wit on the 27 day of March in the year aforesaid the said Charles D. Hiss appeared in Court here by John H. Ivy Esquire his Solicitor and filed in said cause his answer to the said Bill of Complaint in form following to Wit

The answer of Charles D. Hiss to the Bill of Complaint of Solomon McCabe a free Negro of Baltimore City filed against him in the Circuit Court of Baltimore City. This Respondent reserving to himself the benefit of all exceptions further to be made, doth for answer to the said Bill say. He does not admit that said McCabe is the owner of a lot of ground as alleged in the bill situated of Walsh Street. This Respondent sets the Complainant to proof thereof and upon information of the pretended proof Respondent is informed and believes it will be found a fraudulent pretence that said McCabe is the owner of said lot. This respondent further answering says he is not the owner of the ground adjoining on the East to said lot pretended to be owned by said McCabe. This respondent disclaims all ownership to said property. This Respondent denies that he began to tear down or destroy the said house or to break up the same and he denies that with his servants or Workmen he is engaged so destroying tearing down or breaking up or destroying Complainants House. Respondent does not know of any tenants to said House but is not doing irreparable damage to said tenants of the Complainant nor is respondent doing any thing to produce a breach of the peace. And praying to be hence dismissed with his costs unnecessarily and vexatiously incurred he as in duty &c

John H. Ivy Solr for Resptt.

City of Baltimore Sct. On this 27 day of March A.D. 1863 before the subscriber a Justice of the peace of the State of Maryland in for the City of Baltimore personally appear Charles D. Hiss and makes Oath in due form of law that the matters and facts set forth in the foregoing answer are true to the best of his knowledge and belief.

W. H. Hayward J.P.

And afterwards to Wit on the same 27th day of March the said defendant by his Solicitor aforesaid files in said cause the following answer to the said petition of the Complainant to Wit,

In the matter of the Petition of Solomon McCabe in the Circuit Court of Baltimore City
vs
Charles D. Hiss,

The answer of Charles D. Hiss to the said petition respectfully represents. That he admits the service on him of an Injunction from this Court. The Respondent denies that he has in any manner or form violated the said injunction or disregarded the same.

This Respondent denies that he at any and on