April Term 1863.

William E. Wallis.

And afterwards to wit on the 24th day of July in the year aforesaid the said Complainant by her Solicitor aforesaid filed in said cause the following Exceptions to the answers of the defendant to wit.

Solomon McCabe
vs
Charles D. Hiss

In the Circuit Court for Baltimore City
To the Honorable Wm. Fr. Krebs Judge of the said Court

The Complainant excepts to the original and amended and supplemental Answers of the defendant for the following reasons,

1st Because though the Complainant alleges in his Bill that the premises Fronting No 12 Watson Street was built more than forty years before the filing of the said Bill the defendant does not either admit or deny the said allegation nor shew any cause why he does not admit or deny the same,

2d Because the said Amended or Supplemental Bill pleads matter in abatement to the said bill that it alleges the Complainant to be a Mulatto and presumed to be a Slave,

3d Because the said Amended or Supplemental Answer alleges that the Complainant is a Mulatto and presumed to be a Slave but does not allege that he is in fact a slave,

Charles M. Ridgely
Leon Gale Solrs for Compltt.

And afterwards to wit on the same 24 day of July the said Complainant by his Solicitor aforesaid filed in said cause the following Petition for leave to amend to wit.

Solomon McCabe
vs
Charles D. Hiss

In the Circuit Court for Baltimore City
To the Honorable Wm. Fr. Krebs Judge of the Circuit Court for Baltimore City

The Complainant in the above cause prays leave to amend his Bill of Complaint and that he may have to make Laura Jane Hill and Edward H. Pollett parties defendant thereto,

And he will ever pray

Charles M. Ridgely
Leon Gale for Compltt

And afterwards to wit on the same 24 day of July the said Defendant by James Malcolm Dennis his Solicitor filed in said cause the following prayer of appeal to wit.

McCabe
vs
Hiss.

In Circuit Court of Baltimore City
Mr Adams Enter an Appeal in this case from the order granting the injunction.

James Malcolm Dennis Solr

And the said Appeal was by the Court here granted, And thereupon the Court have passed the following Order on the petition of the Complainant praying leave to amend to wit.

July 24th 1863.

An appeal in this case having been taken the Court cannot entertain this petition,

Wm. Fr. Krebs.

And afterwards to wit on the 25 day of July in the year aforesaid the said defendant by his Solicitor aforesaid filed in said cause the following Appeal Bond to wit,

April Term 1863.

Know all men by these presents that we Charles D. Hiss J. N. Reese & J. L. Reese of the City of Baltimore State of Maryland are held and firmly bound unto Solomon McCabe in the just and just sum of five hundred dollars current money to be paid to the said Solomon McCabe his Executors administrators or assigns to which payment well and truly to be made and done we bind ourselves and each of us our and each of our Heirs Executors and administrators firmly and forevermore firmly by these presents sealed with our seals and dated this 25 day of July in the year 1863.

Whereas by an order of the Circuit Court for Baltimore City passed on the 11 day of March 1863 in a cause wherein Solomon McCabe is Complainant and the said Charles D. Hiss is defendant an Injunction issued on the 11 day of March 1863 to the said Charles D. Hiss from which Order the said Charles D. Hiss hath prayed an appeal to the Next Court of Appeals Now the Condition of the above Obligation is such that if the said Charles D. Hiss shall well indemnify the said Solomon McCabe from all loss and injury which the said Solomon McCabe may sustain by reason of such appeal and the staying the operation of said Order and shall notify cause a transcript of the Record and proceedings of the said cause to be transmitted to the Court of appeals within the time required by law and prosecute the said appeal with effect, And also pay and satisfy to the said Solomon McCabe or his assigns in case the said Order shall be affirmed all damages and costs that may be assessed and all damages and costs that may be awarded by the Court of Appeals aforesaid, then the said Bond to be and remain in full force and virtue otherwise to be of effect.

Signed sealed and delivered in presence of

Otho Adams.

Charles D. Hiss (Seal)
J. N. Reese (Seal)
J. L. Reese (Seal)

Which said Bond is thus Endorsed to wit

I approve the within Bond & Sufficient

J. Thomas Adams Clk

Bond approved Wm. Fr. Krebs.

It is thereupon ordered by the Court here that a transcript of the Record and proceedings in the cause aforesaid with all things thereunto relating be transmitted to the Court of Appeals of the State of Maryland, And the same is hereby transmitted accordingly.

Test J. Thomas Adams Clk

In testimony that the foregoing is a full and true transcript taken from the Record of proceedings of the Circuit Court Court for Baltimore City in the cause therein mentioned I hereto set my hand and affix the seal of the Court aforesaid this 17 day of December in the year of our Lord 1863.

(Seal.)

J. Thomas Adams Clk
Cir Ct for Balto City

And now came into the Court of Appeals here as well the said Charles D. Hiss by Alex. Miller Esquire his Attorney as the said Solomon McCabe by Leon Gale Esq his Attorney and thereupon on Motion of the said Solomon McCabe by his Attorney aforesaid it is ordered by the Court here that the said Charles D. Hiss assign the errors in the Record of proceedings aforesaid, on which the granting the Injunction aforesaid was aforesaid brought before the Court of Appeals here for Reversal the errors supposed to be therein or Decree by the Court of Appeals here will be entered against him in default thereof and the said Charles D. Hiss by his Attorney