his Wife Victor Clunet John V. Clunet George H. C. Neal Charles Thomas Lessee John Edward Lessee Isabella Ann Lessee Ebenezer Newberry and Laura his Wife of the City of Baltimore respectfully represents unto your Honor that by an act of the General Assembly of Maryland passed at the December Session 1838 ch 226 entitled "An Act to vest certain powers in the Corporation of the City of Baltimore in reference to streets" the State of Maryland conferred upon the Mayor and City Council of Baltimore power to provide for laying out opening extending widening straightening or closing up in whole or in part any street square lane or alley within the bounds of the City which in their opinion the public convenience might require and the said Mayor and City Council of Baltimore seeking to provide for the exercise of the powers thus bestowed it by the Legislature passed an Ordinance entitled An Ordinance to provide for exercising certain powers vested in this Corporation in relation to streets in the City of Baltimore which was approved on the Fifth day of June 1838 an authorizing the appointment of three Commissioners board in effecting the purposes of the said Ordinance and in the taking property and forcing of assessments for benefits as provided by the Ordinance and that by another Ordinance entitled "An Ordinance to abolish the Office of Commissioners for opening streets in the City of Baltimore and to confer their powers on the Appeal Tax Court approved on the Twenty of February 1861 the powers therein before reposed in the street Commissioners were vested in the three Judges of the Appeal Tax Court; And your Orators further shew unto your Honor that afterwards the Mayor and City Council of Baltimore passed an Ordinance approved on the 5 day of May 1864 entitled an Ordinance to open a street in continuation of Holliday Street from Baltimore Street to Second Street by the first section thereof the Judges of the Appeal Tax Court were authorized and required to convey and open a street in continuation of Holliday Street from Baltimore Street to Second Street and beginning for the same on the North side of Baltimore Street at the South East Corner of the house No 104 West Baltimore Street owned by the late A S Jenkins deceased and the Corner formed by the intersection of the North side of Baltimore Street and at the West side of Holliday Street as in process of widening thence for the West line southerly by a straight line to a point on the North side of Second Street seven feet one and three eights inches easterly from the southwest corner of the property known as No 36 Second Street and formerly said to belong to Hugh Humphreys deceased and now occupied by James Bryan and others thence easterly on the North side of Second Street fifty three feet two and one half inches thence northerly to the South end of the dividing line between Jessies Estate and the property said to belong to Victor Clunet thence northwardly along said dividing line to its intersection with the South side of Baltimore Street thence Westerly on the South side of Baltimore Street fifty three feet two and one half inches to intersect the aforesaid West line and that by the second section of the same Ordinance the Judges of the Appeal Tax Court are required to proceed in all respects in the condemnation and opening of said proposed street in accordance with the provisions of the said Ordinance of 1838 except in so far as otherwise provided by the Ordinance of 1861 before mentioned and by the fifth section of the said Ordinance for opening a street in continuation of Holliday Street And your Orators further shew unto your Honor that the Judges of the Appeal Tax Court have proceeded to carry out the provisions of the said

Ordinance by assessing or assuming to assess the value of the property to be taken and appropriated for the said object and the necessary expenditures and by imposing the amounts of assessments for benefits which it is pretended will accrue to your Orators and others who may be the owners of property upon or near the line of the proposed street and they have sold or attempted to make sale of the bricks and other materials with improvements of your Orators Neal and the Lessees which have been condemned aforesaid; Further complaining your Orators shew unto your Honor that your Orator the Clunets and the Newberrys are the owners of a lot of ground on the South side of Baltimore Street adjoining the property of your Orators the Lessees and fronting sixteen feet on Baltimore Street with a depth of one hundred and eighty feet and your Orator Victor Clunet hath been assessed for supposed benefits to the said lot in the large sum of $6,300 and your Orators the Clunets aver and charge that the said Ordinance and all the proceedings had by the Judges of the Appeal Tax Court by virtue of its provisions were wholly against their wish and without their concurrence and they insist that their property would not be benefited at all by the opening of such street or at any rate will not be benefited at all in proportion to the heavy assessment placed upon the same And your Orators further shew unto your Honor that your Orator George H. C. Neal is the owner of a lot of ground on the Southside of Baltimore Street with a front of twenty five feet on Baltimore Street and a depth of one hundred and eighty two feet and immediately opposite the present line of Holliday Street which your Orator leases under a renewable lease for ninety nine years and for many years past your Orator has occupied the property for the purpose of his business as a wholesale and retail dry good Merchant and he hath by means of the great advantages derived from the location of his said property upon and opposite public thoroughfares succeeded in securing an extensive and remunerative trade and there hath been erected upon his said property a large three story brick house which your Orator Neal hath at long since expended a large expense And your Orators Charles Thomas Lessee and others are also the owners of a valuable lot of ground on the South side of Baltimore Street of the same dimensions with that of your Orator Neal and adjoining the same on the East which they have acquired as the widow and heirs of Lessee deceased and for many years before his death the said Lessee occupied the said property in conducting the business of the manufacture and sale of stoves tinwares and stays and your Orators the Lessees have since conducted the said business on the said property so that the property has become well known as a position for the said trade and your Orators the Lessees have erected at very great expense a very valuable three story brick house upon the said lot of ground, And your Orators further shew that the said Judges of the Appeal Tax Court in the exercise of the pretended powers under the said Ordinances of 1864 have condemned or assumed to condemn the whole of the property of your Orators Neal and the Lessees and have allowed your Orator Neal the sum of $17,267.50 and to your Orator the Lessees the sum of $47,631.25 as damages for the taking of the property of your Orators Neal and the Lessees but they have allowed no compensation whatever for the ruinous losses which will be inflicted upon them from the destruction of their good will of their said property and your Orators Neal and the Lessees aver that the said Ordinances were passed and such condemnation