February 1865 personally appeared before me the Subscriber a Justice of the Peace of said State in and for said City Wm A Fisher and made oath on the Holy Evangels of Almighty God that he knows the pecuniary circumstances of the within named Sureties and that they are worth the amount of the penalty set forth in the within Bond, over and above their just debts and liabilities,

Allen E Forrester J P.

Which said Bond is thus endorsed to Wit, I believe the within Bond to be sufficient and approve of the same,

Samuel M Evans Clerk

Whereupon issued Injunction and subpoena as follows in form following to Wit.

Maryland Sct. The State of Maryland, To the Mayor and City Council of Baltimore Baltimore City Greeting Whereas Peter Chunet and others have exhibited to us in our Circuit Court for Baltimore City their Bill of Complaint for relief in Equity and for an injunction to restrain you the said Mayor and City Council of Baltimore City your Officers Agents and Servants from proceeding to enforce an Ordinance Entitled "An Ordinance to open a Street in Continuation of Holliday Street from Baltimore Street to Second Street and from taking any further steps or proceedings thereunder for the opening of such Street until the matter can be heard and determined in Equity Now therefore these are to Command and strictly enjoin and prohibit you the said Mayor and City Council of Baltimore City your Officers Agents and servants from proceeding to enforce an Ordinance entitled An Ordinance to open a Street in Continuation of Holliday Street from Baltimore Street to Second Street and from taking any further steps or proceedings thereunder for the opening of such Street until the further order of our said Court in the premises.

Witness the Honorable William Alexander Judge of the Circuit Court of Baltimore City the 9th day of January 1865.

Issued the 6th day of February 1865.

Samuel M Evans Clerk

The State of Maryland To the Mayor and City Council of Baltimore of Baltimore City Greeting We command and enjoin you that all excuses set aside you be in your person before the Judge of the Circuit Court for Baltimore City at the Court House in said City on the Second Monday of March next to answer the Complaint of Peter Chunet George H C Neal and others against you in said Court exhibited,

Hereof fail not as you will answer the Contrary at your peril, Witness the Honorable William Alexander Judge of our said Court this 9th day of January 1865.

Issued the 6th day of February Anno Domini 1865.

Samuel M Evans Clerk

And the Sheriff of Baltimore City aforesaid to whom the said Injunction was delivered to be served made return thereof to the Court here thus endorsed to Wit, Served on the Mayor and City Council of Baltimore and Copy of Order left on the 6th day of February 1865 in presence of James E Amos also Copy of Order left with John D Ashby Clerk of the Criminal Court also Copy of Order left with the Judges of the Appeal Tax Court,

Joseph Simms Geo H Gordon and Wm Spriggs.

John T Donaldson Shff.



Service of the within Writ of Injunction admitted for the Mayor and City Council of Baltimore,

John Carson City Solicitor,

And also the Sheriff of Baltimore City aforesaid to whom the said Subpoena was delivered to be served made return thereof to the Court here thus endorsed to Wit summoned "Ambo"

John T Donaldson Sheriff.

Will appear for the Deft and the Sheriff can return this Writ. So

John Carson City Solr

And thereupon afterwards to Wit on the 17th day of February in the year aforesaid came the Mayor and City Council Defendants aforesaid into the Circuit Court of Baltimore City by John Carson City Solicitor Wm Prescott City Counsellor their Solicitor and John Lee Chapman Mayor of said City and filed in said Court their answer to the said Bill of Complaint in form following to Wit

The Answer of the Mayor and City Council of Baltimore under the Corporate Seal thereof to the Bill of Complaint of Peter Chunet George H C Neal and others in the Circuit Court of Baltimore City Exhibited Thus Respondent in answer to said Bill says that it admits that the several acts of Assembly and Ordinances mentioned in said Bill were duly passed at the respective times stated in said Bill and further that the Commissioners of the Appeal Tax Court proceeded in Execution of the duties which devolved on them under and by virtue of the said Ordinance in relation to opening a Street in Continuation of Holliday Street from Baltimore Street to Second Street and completed the Corrected Statement of damages and benefits and explanatory Map and caused the same so corrected and Certified under their hands and seals and the hand and seal of their Clerk to be deposited in the Office of the Register of the City of Baltimore as one of the Records of the City and that thereupon further action of this Respondent in opening said proposed Street was effectually suspended by reason of certain appeals by petition in writing to the Criminal Court of Baltimore City, and which appeals are now pending in said Court,

This Respondent further states that the said Court after appeals had been made as aforesaid by apt proceedings in conformity with the directions of said Ordinance of 1858 possessed itself of the Record of the proceedings of the Commissioners of the Appeal Tax Court and of all Maps plats documents and papers connected with such Record and the said Court before the filing of the Bill in this cause had appointed a day for hearing said Appeals to wit the 6th day of February instant and this Respondent by the City Solicitor had duly appeared in said Court for the purpose of taking part in the said appeals and divers persons interested in the premises and their Attorneys were also present in said Criminal Court for the purpose of taking part in the hearing of said Appeals and the said Criminal Court had called said Appeals for trial before the granting of the Injunction in this case and before the exhibition of the Bill in this cause in this Honorable Court, and was thus not merely in full possession of said appeals but had actually moved in the matter of hearing the same,

And this Respondent further answering suggests that by the provisions of Law, no steps whatever could have been taken by this Respondent with Agents