

Frederick J. Singly  
 Clarence H. Roome  
 S. K. Cate Decker.

Clay D. Joyce.

Appellee costs. \$90.95.

27004 5/7/26  
 P.F.'S ATTY. \$2.  
 G.W.'S FEES \$4.90  
 S.W.'S FEES \$50  
 TOTAL \$10.80  
 27004 5/7/26  
 G.W.'S FEES \$3.20  
 Record to Court of Appeals \$14.50  
 \$22.70

10th May 1926 Defendants Record made and sent to the Court of Appeals of Maryland, Annapolis, Maryland, per Registered Mail. Receipt filed.

BUA 1275

Defendants Record to Court of Appeals \$14.50.  
 Jack Salaman \$10.00.

Clerk City Court \$4.50.  
 \$14.50.

Appellants costs. \$305.30.  
 R. Walter Graham, Comptroller of the Mayor and City Council of Baltimore, a Municipal body corporate.

Philip B. Perlman, Special Counsel.  
 Charles C. Wallace, Council of Baltimore.

24th March 1926 Petition of Clay D. Joyce, a duly appointed and qualified teacher in the Public School System of the City of Baltimore for a Writ of Mandamus directed to R. Walter Graham, Comptroller of the Mayor and City Council of Baltimore, a Municipal body corporate, a resident of Baltimore City and the State of Maryland, demanding him to pay or cause to be paid as such Comptroller salary to your Petitioner, as Principal of the said Watfort School, for the months of January and February for the year 1926, at the annual rate of \$2,680.00 per year and Affidavit filed.

Same day Ordered by the Baltimore City Court in the foregoing Petition that a Rule be and it is hereby laid on the said R. Walter Graham Comptroller of the Mayor and City Council of Baltimore, the Defendant named in said Petition, requiring him to show cause why the Writ of Mandamus should not be issued as prayed, and that the 24th day of March 1926, be and it is hereby fixed for a hearing of said Petition, Provided a copy of this Order is served on the said Defendant, or his Attorney, on or before the 27th day of March in the year 1926. Order of Court. (Judge Duffy) filed.

Same day copy of the Petition and Order of Court sent to the Sheriff to be served on the Defendant. A copy of the within Petition and Order of Court served on Charles C. Wallace City Solicitor for R. Walter Graham Comptroller of the Mayor and City Council of Baltimore in the 26th day of March 1926 in presence of Adam S. Beck. Adm. admitted on behalf of the Mayor & City Council of Baltimore.

30th March 1926 Ordered by the Court that the time for said R. Walter Graham, Comptroller of the Mayor and City Council of Baltimore to answer the Petition in above entitled case be and the same is hereby extended to April 17th 1926. Order of Court. (Judge Duffy) filed.

17th April 1926 Appearance of Philip B. Perlman as Special Counsel for Walter R. Graham Comptroller, the Respondent.

17th April 1926 Answer of R. Walter Graham, Comptroller of the Mayor and City Council of Baltimore, to the Petition filed against him in this Court by Clay D. Joyce, in the above entitled case. Affidavit, and Respondent's Exhibits Nos. 1, 2, 3, 4, 5, 6, 7, and 8, filed. Service of Copy admitted 16th April 1926, filed.

23rd April 1926 the Petitioner moves the Court to strike (A) all that part of Paragraph 7 of the Answer of R. Walter Graham, Comptroller, to the Petition, beginning with the words "This Section requires the Board of Estimates annually to make out three lists" etc. and ending with the end of said Paragraph, reasons filed. (B) The Exhibits Nos. 1, 2, 3, 4, and 5 referred to in said Paragraph 7, reasons filed. (C) All of Paragraphs 8, 9, 10, 11, 12, 13 and 14 of said Answer, and the Exhibits therein referred to, reasons filed. Service of Copy admitted April 23rd 1926, filed.

(Carried to Page 497.)

Fred J. Singley,  
Clarence H. Kline,  
D. H. Caste Fisher.

Clay J. Joyce.

From Page 493. 23rd April 1926 the  
Petitioner demurs to the  
first six paragraphs of the Answer of R.  
Walter Graham, Comptroller and to the por-  
tion of the 7th Paragraph not asked to be  
stricken out by the Motion to strike out por-  
tions of the Answer, filed by the Petitioner,  
reasons filed, service of copy admitted April  
23rd 1926, and issue joined (short) on the  
Demurrer, 29<sup>th</sup> April 1926 Submitted to the Court

Said determination without the interven-  
tion of a party. 29<sup>th</sup> April 1926 Petitioner's Motion  
to strike out portions of the Respondent's Answer. Article 29<sup>th</sup> April 1926. Petitioner  
demurred to the first 6 paragraphs and to the portion of the 7<sup>th</sup> paragraph not asked to be  
stricken out by the Motion to strike out portions of the Answer. Article 29<sup>th</sup> April  
1926. Respondent asked leave of the Court to amend his Answer by adding paragraph  
No. 8. 2. Said day leave granted and amendment made accordingly. 30<sup>th</sup> April 1926.  
Petitioner demurred to each and every paragraph of the Respondent's amended Answer  
filed. Service admitted and issue joined (short) on the Demurrer. 30<sup>th</sup> April 1926.  
Petitioner demurred to each and every paragraph of the Respondent's amended  
Answer. Sustained with leave to the Respondent to amend his Answer. The Respondent  
declined to amend or plead over.

R. Walter Graham,  
Comptroller of  
The Mayor and City  
Council of Baltimore,  
a Municipal body corporate.

Philip B. Perlman  
Chas. C. Wallace.

30<sup>th</sup> April 1926 Judgment on the Demurrer  
in favor of the Petitioner for costs.  
4<sup>th</sup> May 1926. Order that writ of Mandamus  
issued as prayed in the petition filed in the  
above entitled case. Order of Court Judge  
Duffy filed.

11<sup>th</sup> May 1926 Appeal on behalf of the Respondent to the Court of  
Appeals of Maryland from the judgment and Order of this Court  
passed on May 4<sup>th</sup> 1926, in the above entitled case, sustaining the  
Demurrer to the Defendants Answer and directing the Writ of Mandamus  
to issue as prayed in the petition, and Affidavit that the Appeal  
is not taken for the purpose of delay filed.

14<sup>th</sup> May 1926, Agreement of Counsel as to Record filed.  
Mandate from the Court of Appeals of Maryland.

Order Affirmed with costs to the Appellee by the Court of Appeals  
on the 29<sup>th</sup> day of June 1926.  
Order of Chief Judge Bond filed. To be reported.  
Certificate of the Clerk of the Court of Appeals filed 28<sup>th</sup> day of July  
1926, filed.