

Edgar Allan Poe
 Isaac Lobe Straus
 BILL No. 1345 BILLED 4/11/28
 PLF'S ATTY. \$ 5.
 CLERK'S FEES 3.50.
 SHF'S FEES 75.

Charles J. Murphy

20th July 1927 petition and appeal of Charles J. Murphy under and in accordance with the provisions of Section 217 of the Charter of Baltimore City in order that this Court under the Appellate jurisdiction conferred upon it by said Section 217 may review the said action, judgment and decision of the City Council and judicially inquire into and determine the alleged disqualification of the defendant and his alleged inability to serve as a member of the City Council from the Fifth Councilmanic District in Baltimore City and petitioners exhibits Nos 1 and 2 and affidavit filed. Same day ordered by the Baltimore City Court upon the foregoing petition and affidavit that the defendant appear in this Court and answer said petition on or before the 15th day of August 1927; provided a copy of said petition and of this order be served upon the said defendant on or before the 8th day of August.

TOTAL \$ 9.25

DATE PAID AMT PAID

REC'D BY

Bot 1986

DEPUTY CLERK

BILL No. 1347 BILLED 4/11/28
 DEFT'S ATTY. \$ 5.00
 CLERK'S FEES 1.00.
 SHF'S FEES

R.P.M. per C.T. Perkins

TOTAL \$ 6.00

DATE PAID 4/13/28 AMT PAID 6.00

REC'D BY kennell

DEPUTY CLERK

Thomas L.A. Musgrave

Roland R. Marchant.
 Emma S. Stockbridge.
 Simon E. Sobeloff.
 William M. Kerr.

1927. Order of Court (Judge Owens) filed. Same day Copy of the petition and Order of Court sent to the Sheriff to be served on the defendants. Copy of within Petition and Order of Court served on Thomas L.A. Musgrave on the 26th day of July 1927 in the presence of Lawrence A. Wood at 15 August 1927. Respondent's Answer filed 16 August 1927. Plaintiff's Replication filed 30 Aug 1927 submitted to the Court. Judges Owens, Frank & Stanton, without the aid of a jury. 20th January 1928 Under the evidence and the law controlling these cases, we are of the opinion that on May 3rd 1927, Philander B. Briscoe possessed the qualifications for membership in the City Council, set forth in Section 210 of the Baltimore City Charter, but that Thomas L.A. Musgrave, James B. Blake, Frank J. Bauer and J. Warren Burgess were not so qualified. We will sign an Order dismissing the Petition, as against Philander B. Briscoe, with costs upon the Petitioners; and will sign appropriate orders in each of the other four Appeals. Opinion of Judges Owens, Frank and Stanton filed. 23rd January 1928 the Defendant, Thomas L.A. Musgrave, moves the Court that he be granted a Re-argument in the above entitled Appeal, reasons filed. 24th March 1928 Assent of the Court to the filing of the Orders dismissing the Appeals filed. 24th March 1928 Above entitled case "Dismissed." Each side to pay its own costs. Order of Plaintiff and Defendants Attorneys filed.

Edgar Allen Poe
Isaac Lobe Straus

Wm Miller Mullen

BILL No. 1348 BILLED 4/11/28
PLF'S ATTY. \$ 5.
CLERK'S FEES 3.50.
SHF'S FEES 75.

TOTAL \$ 9.25
DATE PAID AMT. PAID

REC'D BY
DEPUTY CLERK

BILL No. 1349 BILLED 4/11/28
DEFT'S ATTY. \$ 5.00
CLERK'S FEES 1.60
SHF'S FEES

TOTAL \$ 6.60
DATE PAID 4/13/28 AMT. PAID 6.60

REC'D BY Conall
DEPUTY CLERK

Box 1186

J. Warren Burgess
DEPUTY CLERK

10th July, 1927 Petition and appeal of Wm Miller Mullen under and in accordance with the provisions of Section 217 of the Charter of Baltimore City in order that this Court under the Appellate jurisdiction conferred upon it by said Section 217 may review the said action judgment and decision of the City Council and judicially inquire into and determine the alleged disqualification of the defendant and his alleged ineligibility to serve as a member of the City Council from the third Councilmanic District in Baltimore City and petitioners Exhibits Nos 1 and 2 and affidavit fd.

Same day Ordered by the Baltimore City Court upon the foregoing petition and affidavit that the defendant J. Warren Burgess appear in this Court and answer said petition on or before the 15th day of August, 1927: provided a copy of said petition and of this Order be served upon the said defendant on or before the

8th day of August, 1927. Order of Court (Judge Owens) fd. Same day copy of the petition and Order of Court sent to the Sheriff to be served on the defendant. Copy of William Petition and Order of Court served on J. Warren Burgess on the 27th day of July 1927 in the presence of John Maylaw.

Roland R. Marchant.
Ernest S. Stockbridge.
Simon E. Sobeloff.
William M. Kerr.

15 August 1927 Respondent's Answer fd. 16 August 1927 Plaintiff's Reply fd. 30 Aug 1927 Submitted to the Court (Judges Owens Frank & Stanton) without the aid of a jury

20th January 1928 Under the evidence and law controlling these cases, we are of the opinion that in May 3rd 1927, Philander B. Briscoe possessed the qualifications for membership in the City Council, set forth in Section 210 of the Baltimore City Charter, but that Thomas S. A. Musgrave, James B. Blake, Frank J. Bauer and J. Warren Burgess were not so qualified. We will sign an Order dismissing the Petition as against Philander B. Briscoe, with costs upon the Petitioners; and will sign appropriate orders in each of the other four Appeals. Opinion of Judges Owens, Frank and Stanton filed.

23rd January 1928, The Defendant, J. Warren Burgess, moves the Court that he be granted a Re-argument in the above entitled Appeal, reasons filed.

24th March 1928 Assent of the Court to the filing of the Orders Dismissing the Appeals filed.

24th March 1928 Above entitled case "Dismissed." Each side to pay its own costs. Order of Plaintiff and Defendants Attorneys filed.

R.R. Marchant
Enos S. Stockbridge
Simon E. Sobeloff

Henry Busch

BILL No. 1252. BILLED 7/12/28.
PLF'S ATTY. \$ 5.00
CLERK'S FEES 3.60
SHF'S FEES 1.00

RRM
per et. Sec. 217

TOTAL \$ 9.60
DATE PAID 7/14/28 AMT. PAID 9.60
REC'D BY [Signature]

DEPUTY CLERK

BILL No. 1252, BILLED 4/11/28.
DEFT'S ATTY. \$ 5.00
CLERK'S FEES 2.10
SHF'S FEES .50

[Signature] 4/11/28

TOTAL \$ 7.60
DATE PAID 7/14/28 AMT. PAID 7.60
REC'D BY [Signature]

DEPUTY CLERK

Willis R. Jones

Philander B. Briscoe

20th July 1927. Petition and appeal of Henry Busch under and in accordance with the provisions of Section 217 of the Charter of Baltimore City in order that this Court under the appellate jurisdiction conferred upon it by said Section 217 may review the said action judgment and decision of the City Council and judicially inquire into and determine the alleged disqualification of the defendant and his alleged ineligibility to serve as a member of the City Council of the Mayor and City Council from the First Congressional District in Baltimore City and petitioners exhibit No. 1 and affidavit filed

Same day, Ordered by the Baltimore City Court upon the foregoing petition and affidavit that the defendant Philander B. Briscoe appear in this Court and answer said petition on or before the 15th day of August 1927; provided a copy of said petition and of this order be served upon the said defendant on or before the 8th day of August 1927. Order of Court (Judge Owens) filed.

Same day. Copy of the within petition and Order of Court sent to the Sheriff to be served on the defendant.

Respondents Exhibits in Safe.

26th July 1927, Appearance of Willis R. Jones as Attorney for the Respondent. 26th July 1927 Answer of Philander B. Briscoe the Respondent to the Petition and Order of Court heretofore against him, and Affidavit filed. 26th July 1927, Respondents Exhibits Nos. 1, 2, 3, 4, 5, and 6, filed, service of copy admitted.

Copy of the within Petition and Order of Court served on Philander B. Briscoe on the 22nd day of July 1927, in the presence of Dennis J. Mitchell. 30th Aug 1927, submitted to the Court (Judges Owens Frank and Stanton) without the aid of a jury.

20th January 1928 Under the evidence and the law controlling these cases, we are of the opinion that on May 3rd 1927, Philander B. Briscoe possessed the qualifications for membership in the City Council, set forth in Section 210 of the Baltimore City Charter, but that Thomas S.A. Musgrave, James B. Blake, Frank J. Bauer and J. Warren Burgess were not so qualified. We will sign an Order dismissing the Petition as against Philander B. Briscoe, with costs upon the Petitioners; and will sign appropriate orders in each of the other four Appeals. Opinion of judges Owens, Frank and Stanton filed.

(For Order of Court see Page 254.)

R.R. Marchant.
Eugene S. Stockbridge
Simon E. Sobeloff

Henry Dusch

20th July 1927. Petition and appeal of Henry Dusch, under and in accordance with the provisions of Section 217 of the Charter of Baltimore City in order that this Court under the appellate jurisdiction conferred upon it by said section 217, may review the said action, judgment and decision of the City Council, and judicially inquire into and determine the alleged disqualification of the defendant. And his alleged ineligibility to serve as a member of the City Council of the Mayor and City Council of Baltimore from the First Councilmanic District in Baltimore City, and petitioners exhibit No 1 and affidavit filed same day. Ordered by the Baltimore City Court upon the foregoing petition and affidavit that the defendant James B. Blake appear in this Court and answer said petition on or before the 15th day of August 1927: provided a copy of said petition and of this ^{order} be served upon the said defendant on or before the

BILL No. 1343 BILLED 3/31/28
PLF'S ATTY. \$ 5.
CLERK'S FEES 3.30.
SHF'S FEES .75.

TOTAL \$ 9.05
DATE PAID 4/2/28 AMT. PAID 9.05
REC'D BY [Signature]

DEPUTY CLERK

BILL No. BILLED
DEFT'S ATTY. \$ 5. Pd
CLERK'S FEES 1.45.
SHF'S FEES

TOTAL \$ 6.45
DATE PAID 4/2/28 AMT. PAID 6.45
REC'D BY [Signature]

DEPUTY CLERK

James B. Blake

Robert R. Coarman.
P. P. specially for the purpose of filing plea to the jurisdiction of this Court and for no other purpose.

8th day of August 1927. Order of Court (Judge Owens) fd. Same day Copy of the within petition and Order of Court sent to the Sheriff to be served on the defendant. Copy of the within Petition and Order of Court served on James B. Blake on the 25th day of July 1927. in the presence of John Moyal and 10 August 1927. Respondent Answer's fd. 30 Aug 1927. appearance of Robert R. Coarman, as attorney for the Respondent. 30 Aug 1927. Ordered by the Court that the Respondent be authorized to withdraw his answer to the Petition heretofore filed in these proceedings, to withdraw his general appearance heretofore entered and to appear specially and file a Plea to the jurisdiction of this Court, Petition of the Respondent and Order of Court (Judge Owens) filed, 30 Aug 1927. appearance of James B. Blake, the Respondent in proper person specially for the purpose of filing plea to the jurisdiction of this Court and for no other purpose filed, 30 Aug 1927. Respondent's Plea to the jurisdiction of this Court, and affidavit filed. Rule Plications. 20th January 1928 Under the evidence and the law controlling these cases, we are of the Opinion that on May 3rd 1927, Philander B. Briscoe possessed the qualifications for membership in the City Council, set forth in Section 210 of the Baltimore City Charter, but that Thomas S. N. Musgrave, James B. Blake, Frank J. Bauer and J. Warren Burgess were not so qualified. We will sign an Order dismissing the Petition as against Philander B. Briscoe, with costs upon the Petitioners; and will sign appropriate orders in each of the other four appeals. Opinion of Judges Owens, Frank and Stanton filed. (To Page 249.)

RR Marchant.

Enos S. Stockbridge

Simon E. Sobeloff

BILL No. 1344 BILLED 3/31/28

PLF'S ATTY. \$ 5.

CLERK'S FEES 3.30

SHF'S FEES .75

TOTAL \$ 9.05

DATE PAID 4/2/28 AMT. PAID 9.05

REC'D BY [Signature]

DEPUTY CLERK

BILL No. BILLED

DEFT'S ATTY. \$ 5.00

CLERK'S FEES 1.45

SHF'S FEES

TOTAL \$ 6.45

DATE PAID 4/3/28 AMT. PAID 6.45

REC'D BY [Signature]

DEPUTY CLERK

William Curran

Boy-1189

Frank J. Bauer

10th July 1927 Petition and appeal of John Bauersfeld under and in accordance with the provisions of Section 217 of the Charter of Baltimore City, in order that this Court under the appellate jurisdiction conferred upon it by Section 217, may review the said action judgment and decision of the City Council and judicially inquire into and determine the alleged disqualification of the defendant and his alleged ineligibility to serve as a member of the City Council of the Mayor and City Council of Baltimore from the First Council - Main District in Baltimore City and petitioners exhibit No 1 and affidavit filed.

Same day. Ordered by the Baltimore City Court upon the foregoing petition and affidavit that the defendant Frank J. Bauer appear in this Court and answer said petition on or before the 15th day of August 1927 provided a copy of said petition and of this order be served upon the said defendant on or before the 8th

day of August 1927. Order of Court (Judge Owens) Same day. Copy of the within petition and Order of Court sent to the Sheriff to be served on the defendant.

"Copy of the within Petition and Order of Court served on Frank J. Bauer on the 22nd day of July 1927, in the presence of Robert M. Hyatt."

12 August 1927. Plead and trial of Frank J. Bauer Defendant Jd.

30 Aug 1927. Plaintiff Demurr (Short) to the Defendant Plea, and Issue joined on the Demurr. Same day Demurr Sustained. Same day.

Rule laid by the Court (Judge Owens) on the Defendant to Demurr of reply within 5 days, 3 Sept 1927. Demur to the Petition of John Bauersfeld

reasons and affid of service filed. Issue joined on the Demur 15th September 1927 (Answer of Frank J. Bauer to the Petition of John Bauersfeld against him in this Court exhibited, specifically reserving the right to question the form and legal sufficiency of the said Petition and the jurisdiction of this Honorable Court to entertain the same, and duly reserving all exceptions to any rulings of the Court thereupon, and Affidavit filed.

13 Sept 1927 Demurrer to petition "Overruled" with leave to file answer. Verbal Order of Court (Judge Owens)

21 Sept. 1927. Submitted to the Court (Judges Owen, Frank & Stanton) for determination without the intervention of a Jury

21 Sept. 1927 Not concluded and to be resumed on Wednesday, Sept. 28 1927 at 3p.m.

(To Page 249.)

R. R. Marchant.
Enos S. Stockbridge
Simon E. Sobeloff

Henry Duseh.

From Page 192. 23rd January 1928
The Defendant, James B. Blake, moves the Court that he be granted a Re-argument in the above entitled Appeal, reasons filed, service of copy admitted 23rd January 1928.

BILL No. BILLED
PLF'S ATTY. \$
CLERK'S FEES
SHF'S FEES
TOTAL \$

24th March 1928 Assent of the Court to the filing of the Orders Dismissing the Appeals filed.

DATE PAID AMT. PAID
REC'D BY
DEPUTY CLERK

24th March 1928 Petition in the above entitled cause "Dismissed".
Upon payment of costs by the Petitioner, Order of the Plaintiff and Defendants Attorneys filed.

BILL No. BILLED
DEFT'S ATTY. \$
CLERK'S FEES
SHF'S FEES
TOTAL \$

DATE PAID AMT. PAID
REC'D BY
DEPUTY CLERK

James B. Blake.

Robert R. Carman.

Roland R. Marchant.
Enos S. Stockbridge.
Simon E. Sobeloff.

John Bauersfeld.

From Page 193. 20th January 1928 Under
the evidence and the law controlling these cases, we are of the Opinion that on May 3rd, 1927, Philander B. Briscoe possessed the qualifications for membership in the City Council, set forth in Section 210 of the Baltimore City Charter, but that Thomas L. A. Musgrave, James B. Blake, Frank J. Bauer and J. Warren Burgess were not so qualified. We will sign an Order dismissing the Petition as against Philander B. Briscoe, with costs upon the Petitioners; and will sign appropriate Orders in each of the other four Appeals. Opinion of Judges Stanton, Frank and Owens filed. Judge Owens dissents in the Bauer case. He is of the Opinion that when Bauer in 1919 informed the Appeal Tax Court of his interest in the property on Baltimore Street that, from the time of delivery of that letter, he was "assessed", as far as the purposes of the Charter provisions are concerned, and he, in a proceeding such as this is not chargeable with the failure of the Appeal Tax Court to properly act upon his letter. In all other respects the findings of the Court are unanimous.

23rd January 1928 Motion by the Defendant, Frank J. Bauer, for a Re-argument herein, reasons filed.
24th March 1928 Assent of the Court to the filing of the Orders Dismissing the Appeals filed.
25th March 1928 Petition in the above entitled cause "Dismissed".
Upon payment of costs by the Petitioner, Order of Plaintiff's Attorney filed.

Frank J. Bauer. Order of Plaintiff's Attorney filed.

William Curran.

Roland R. Marchant.
 Enos S. Stockbridge.
 Simon E. Sobeloff.

Henry Dusch.

From Page 191. } Order of Court.

This cause standing ready for hearing, and being submitted, the counsel for the respective parties were heard after the taking of testimony in Open Court, and upon consideration of all proceedings in the case, the court is of the opinion that Philander B. Briscoe, the Respondent herein, was qualified and eligible for the Office of a Member of the City Council from the Second Councilmanic District of Baltimore City, at the time of his election, on May 3rd 1927, within the meaning of the Charter of Baltimore City.

It is, therefore, this 6th day of February, 1928, Ordered, Adjudged and Decreed that the Petition and Appeal in this case be and the same is hereby "Dismissed." And it is Further Ordered, Adjudged and Decreed, that the Petitioner pay the costs to be taxed by the Clerk, in the proceeding.

Order of Court.

Albert S. J. Owens.
 Eli Frank
 Robert D. Stanton.
 Judges, filed.

Philander B. Briscoe.

Willis R. Jones.

Do Not Use.

BILL No. BILLED
 PLF'S ATTY. \$
 CLERK'S FEES
 SHF'S FEES
 TOTAL \$
 DATE PAID AMT. PAID
 REC'D BY

DEPUTY CLERK

BILL No. BILLED
 DEFT'S ATTY. \$
 CLERK'S FEES
 SHF'S FEES
 TOTAL \$
 DATE PAID AMT. PAID
 REC'D BY

DEPUTY CLERK