

No. 9- OCT. T. 1949

Stipulation

Filed: Aug. 30 - 1949.

R. GARLAND CHISSEL et al.	:	IN THE
Appellants	:	COURT OF APPEALS
VS.	:	OF
MAYOR AND CITY COUNCIL OF	:	MARYLAND
BALTIMORE, a Municipal	:	October Term 1949
Corporation	:	No. 9
Defendant	:	
.....		

STIPULATION

It is STIPULATED by and between counsel in the above entitled case that the time for the filing of the Appellee's brief be and is hereby extended until September 15, 1949.

✓ Donald G. Murray
Donald G. Murray -
Counsel for Appellants

✓ Hamilton O'Dunne
Hamilton O'Dunne -
Counsel for Appellee

No. 9 - Oct. 7. 1949

Petition

The attached petition, affidavits, and proposed writs
have been filed on the 15th day of August, 1949, in the
Court of Appeals of the State of New York, and the
petitioner prays that the writs be granted and that
the petition be allowed.

Attest:
Chief Clerk of the Court of Appeals

Filed: Aug. 15 - 1949

R. GARLAND CHISSELL, et al.,
Appellants

vs.

MAYOR AND CITY COUNCIL OF
BALTIMORE CITY

Appellees

* THE PETITION NO. _____ IN

* THE COURT OF APPEALS OF MARYLAND

* October Term 1949

* No. 9

Petition and Order to File Brief
Nunc Pro Tunc

TO THE HONORABLE, THE CHIEF JUDGE OF THE COURT OF APPEALS OF MARYLAND:

The petition of your Appellants, respectfully shows:

1. That an appeal in the above captioned matter has been noted in your Honorable Court, the record transmitted thereto and a copy of the Joint Appendix filed therein on July 27, 1949.
2. That the appellants have filed three stipulations in your Honorable Court extending the time for filing this brief, the last one filed extended the time until August 1, 1949.
3. That August 1, 1949 has now passed and the appellants' brief has not yet been filed.
4. That co-counsel for the appellants, Donald G. Murray, was suddenly stricken ill on July 27, 1949 before he could complete and deliver the appellants' brief to the printer. That co-counsel Charles H. Houston has been in St. Louis, Missouri, and New Orleans, Louisiana at the trial of cases since July 20, 1949 and has not yet returned to Washington, D. C. By reason of his illness, Donald G. Murray and by reason of Charles H. Houston's absence from Washington, D. C., Donald G. Murray was unable to communicate with co-counsel for the appellants so that the brief could be submitted by August 1, 1949.
5. That the appellants have made extensive preparations for the trial, appeal and editing of the joint appendix in conjunction with attorneys for the appellees and expended great sums of money for the same.

WHEREFORE, by reason of the matters set forth above, the physicians certificate attached hereto and prayed to be taken as part hereof, and for the reason that the appellants should not be penalized for the inability of their

counsel through illness from submitting this brief as of August 1, 1949 and for the further reason that the delay in submitting this brief is not such as to unduly inconvenience your Honorable Court or the appellees, the appellants respectfully petition that the brief of the appellants submitted to this court on August 12, 1949 which was due on August 1, 1949 be accepted by your Honorable Court nunc pro tunc.

AND AS IN DUTY BOUND, ETC.

Donald G. Murray
Co-counsel for Appellants

STATE OF MARYLAND)
: to wit
CITY OF BALTIMORE)

I hereby certify that on this 8th day of August, 1949, Donald G. Murray, Co-counsel for the appellants personally known to me, personally appeared and stated that the matters set forth above are true to the best of his knowledge and belief.

WITNESS my hand and seal.

Dorothy L. Lewis
Notary Public

August 8, 1949

I, Glenford P. Mussenden, the undersigned, hereby certify that I am a medical doctor and have been practicing my profession in the State of Maryland for the past thirteen (13) years; that I am a practicing physician and that the branch of medicine in which I specialize is known as internal medicine.

I treated Donald Murray, 424 Watty Court, Baltimore, Maryland, from July 27, 1949 to August 7, 1949 and Donald Murray was totally incapacitated for the performance of his regular duties during this period. He suffered from an acute attack of Nephrolithiasis (left).

WITNESS my hand and seal.

WITNESS:

Dorothy Lewis

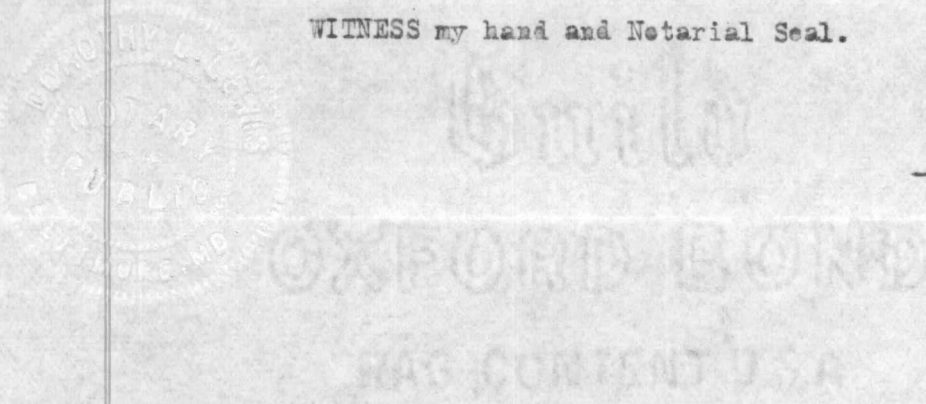
Glenford P. Mussenden
Glenford P. Mussenden

STATE OF MARYLAND, CITY OF BALTIMORE: to wit

I HEREBY CERTIFY that on this 8th day of August, 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared Glenford P. Mussenden, and made oath in due form of law that the matters and facts contained in the above affidavit are true to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal.

Dorothy L. Lewis
Notary Public



O R D E R

The attached petition, affidavit, physician's petition and affidavit having been filed on the 12th-day of August, 1949, it is this _____ day of August 1949, by the Court of Appeals of Maryland, Adjudged, Ordered and Decreed, that the brief submitted and filed with the Court of Appeals of Maryland on the 12th day of August and due on the 1st day of August be accepted as filed nunc pro tunc.

Chief Judge of the Court of Appeals
of Maryland

OXFORD BOND
MADE IN U.S.A.

MADE IN U.S.
Fidelity Union Skin
Brook
August 15, 1949

Donald G. Murray, Esq.
Attorney-at-Law
1508 Pennsylvania Avenue
Baltimore 17, Maryland

Dear Sir:

Your petition and order to file brief
nunc pro tunc has been returned by Chief Judge
Marbury unsigned.

Should the appellee file a motion to
dismiss this case because of the lateness of
your brief, the Court will take into consideration
this petition when it hears the case in its proper
turn on the docket.

Very truly yours,

VTS:av

Chief Deputy

JUDGES' CHAMBERS

Upper Marlboro, Maryland

MEMORANDUM

No order will be signed.
If appellee make a motion
it will be considered when
the court hears the case.

DM.

No. 9 - Oct. 7, 1949

Stipulation

Filed: July 13, 1949

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HUG CONTEMP USV

W. L. ...
...

R. GARLAND CHISSELL AND AUGUSTA
CHISSELL, his wife; WILLIAM R.
BOYKIN SR., and WILLIE MAE BOYKIN
his wife; RAYMOND A. C. YOUNG and
HELEN B. YOUNG, his wife; CLARENCE
M. MITCHELL, JR., and JUANITA JACKSON
MITCHELL, his wife; et al,

Appellants.

vs.

THE MAYOR AND CITY COUNCIL OF BALTIMORE,
A MUNICIPAL CORPORATION

Appellees.

* IN THE
*
* COURT OF APPEALS
*
* OF
*
* MARYLAND
*

* No. 9
* October Term 1949
*

STIPULATION FOR EXTENSION OF TIME
FOR FILING BRIEF

IT IS STIPULATED by and between the parties to this
appeal and their solicitors that the time for filing the Appellant's brief in
the above entitled cause, be and hereby is extended until July 22, 1949.

✓ Donald G. Murray
Co-Solicitor for Appellants

✓ Hamilton O. Deane
Co-Solicitor for Appellees

Guild
OXFORD ENGLAND
RAG CONTENT USA

No. 9- Oct. T. 1949

Stipulation

Filed July 21-1949

R. GARLAND CHISSELL AND AUGUSTA
CHISSELL, his wife; WILLIAM R.
BOYKIN SR., and WILLIE MAE BOYKIN,
his wife; RAYMOND A. C. YOUNG and
HELEN B. YOUNG, his wife; CLARENCE
M. MITCHELL, JR., and JUANITA JACKSON
MITCHELL, his wife; et al,

Appellants.

VS.

THE MAYOR AND CITY COUNCIL OF BALTIMORE,
A MUNICIPAL CORPORATION,

Appellees.

* * * * *

STIPULATION FOR EXTENSION OF
TIME FOR FILING BRIEF

IN THE
COURT OF APPEALS

OF

MARYLAND

No. 9
October Term 1949

IT IS STIPULATED by and between the parties to this appeal and
their solicitors that the time for filing the Appellant's brief in the above
entitled cause, be and hereby is extended until August 1, 1949.

Donald E. Murray
Co-Solicitor for Appellants

Hamilton O. Dumas
Co-Solicitor for Appellees

No. 9

October Term 1949

Stipulation for
Extension of time for
filing Brief

Filed: May 24, 1949

R. GARLAND CHISSELL AND AUGUSTA
CHISSELL, his wife; WILLIAM R.
BOYKIN SR., and WILLIE MAE BOYKIN,
his wife; RAYMOND A. C. YOUND and
HELEN B. YOUNG, his wife; CLARENCE
M. MITCHELL, JR., and JUANITA JACKSON
MITCHELL, his wife; et al,

Appellants.

vs.

THE MAYOR AND CITY COUNCIL OF BALTIMORE,
A MUNICIPAL CORPORATION,

Appellees.

IN THE

COURT OF APPEALS

OF

MARYLAND

No. 9
October Term 1949

: : : : : : : : : : :

STIPULATION FOR EXTENSION OF TIME
FOR FILING BRIEF

IT IS STIPULATED by and between the parties to this appeal and
their solicitors that the time for filing the Appellant's brief in the above
entitled cause, be and hereby is extended until July 1, 1949.

✓ Donald J. Murnay
Co-Solicitor for Appellants

✓ Hamilton O. Dume
Solicitor for Appellees

BACK CONTENT USA

EXPERIMENT ROOM

10000

Stipulation for Settlement

Stipulation for Settlement

... and herein is extended until July 15, 1950.

... and herein is extended until July 15, 1950.

... and herein is extended until July 15, 1950.

FOR THE SILENT WIFE
STIPULATION FOR EXTENSION OF TIME

Stipulation

Filed: June 29, 1949

THE HONORABLE COURT OF CHANCERY

... and herein is extended until July 15, 1950.

COPIES OF THIS

IN THE

R. GARLAND CHISSELL AND AUGUSTA
CHISSELL, his wife; WILLIAM R.
ROYKIN SR., and WILLIE MAE BOYKIN,
his wife; RAYMOND A. C. YOUNG and
HELEN B. YOUNG, his wife; CLARENCE
M. MITCHELL, JR., and JUANITA JACKSON
MITCHELL, his wife; et al,

Appellants. *

VS.

THE MAYOR AND CITY COUNCIL OF BALTIMORE,*
A MUNICIPAL CORPORATION,

Appellees. *

IN THE

COURT OF APPEALS

OF

MARYLAND

No. 9
October Term 1949

* * * * *

STIPULATION FOR EXTENSION OF TIME
FOR FILING BRIEF

IT IS STIPULATED by and between the parties to this appeal and
their solicitors that the time for filing the Appellant's brief in the above en-
titled cause, be and hereby is extended until July 15, 1949.

✓ Donald S. Murray
Co-Solicitor for Appellants
✓ Hamilton O. Rame
Solicitor for Appellees

OXFORD BOND
MADE IN U.S.A.

April 11, 1949

Donald G. Murray, Esquire
Attorney at Law
1506 Pennsylvania Avenue
Baltimore, 17, Maryland

Dear Sir;

This is to advise that Chief Judge Marbury has signed your petition for the extension of time for filing transcript in the case of Chissell, et al vs. M. & C. C. of Baltimore, as per the enclosed copy, granting until April 19, 1949 for filing with the Clerk of this Court.

Very truly yours,

J
L:S
Y

Petition
Copy to above -

MURRAY, DOUGLASS & PERKINS
ATTORNEYS-AT-LAW
1506 PENNSYLVANIA AVENUE
BALTIMORE 17, MARYLAND

DONALD G. MURRAY
CALVIN A. DOUGLASS
ERNEST L. PERKINS

JAMES R. COMPTON

TELEPHONES
MADISON 2091
MADISON 10712

April 7, 1949

Chief Judge Ogle Marbury
Chief Judge of Court of Appeals
Laurel, Maryland

Dear Judge Marbury:

Please find enclosed Petition and Order for Extension of Time in the Chissell, et al vs. The Mayor and City Council of Baltimore case.

I have talked to Mr. Young, who has advised me that this is the proper procedure.

Thank you in advance for your courtesy and cooperation in this matter.

Yours very truly,

Donald G. Murray

Donald G. Murray

DGM/dl
Encl.

No. 9. Oct. T. 1949

Petition and Order
extending time
for filing record.

Filed: April 9-1949

R. GARLAND CHISSELL AND AUGUSTA CHISSELL, his wife; WILLIAM R. BOYKIN SR. AND WILLIE MAE BOYKIN, his wife; RAYMOND A.C. YOUNG AND HELEN B. YOUNG, his wife; CLARENCE M. MITCHELL JR. AND JUANITA JACKSON MITCHELL, his wife; et al, * THE PETITION NO. _____ IN * * * * * THE COURT OF APPEALS

Appellants. *

VS. * OF

THE MAYOR AND CITY COUNCIL OF BALTIMORE, * A MUNICIPAL CORPORATION, *

Appellees. *

MARYLAND

* * * * *

THE PETITION FOR EXTENSION OF TIME FOR TRANSMISSION OF RECORD

TO THE HONORABLE, THE CHIEF JUDGE OF THE COURT OF APPEAL OF MARYLAND:

The petition of your Appellants, respectfully shows:

- 1. The testimony of all the parties to this case and their witnesses has been heard in open court, an opinion has been filed by Judge Mason on January 21, 1949, a decree has been passed and filed on January 26, 1949 in the Circuit Court No. 2 of Baltimore City, a notice of appeal has been filed in your Honorable Court on February 9, 1949.
2. Rule No. 6 of the Rules and Regulations Respecting Appeals of the Court of Appeals requires that all transcripts of records, on appeals from Courts of Equity, shall be made and transmitted to the Court of Appeals within sixty days from the time of the appeal prayed.
3. The rule referred to in the paragraph immediately above requires that the transcript in the above entitled cause be transmitted to your Honorable Court on April 9, 1949.
4. There are numerous and varied pleadings and exhibits to be reproduced and included in this record and counsel and the clerk of Circuit Court No. 2 of Baltimore City have diligently attempted to collect this material to complete this record but have been unable to do the same within the time required.
5. The parties to this suit, their respective counsel and the clerk of Circuit Court No. 2 of Baltimore City have agreed that they all desire an extension of time for the transmittal of this record.

6. Under Rule No. 10 of the Rules and Regulations Respecting Appeals of the Court of Appeals as amended July 23, 1946, this case will not be heard in your Honorable Court until October 1949 so that no inconvenience or delay will be caused.

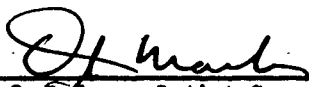
WHEREFORE, Appellants respectfully petition your Honorable Court to extend the time for the transmittal of this record to April 19, 1949.

AND AS IN DUTY BOUND, ETC.

Donald E. Murray
Co-Counsel for Appellants

ORDER

The attached petition having been filed on the 8th day of April 1949, it is this 8th day of April, 1949, by the Court of Appeals of Maryland, Adjudged, Ordered and Decreed, that the time for the transmittal of the record in the above entitled cause be and hereby is extended to April 19, 1949.


Chief Judge of the Court of
Appeals of Maryland