

judicial notice. If then the case was in fact ripe for a decision, with equal justice to both parties, we do not now, nor did we then, perceive any good reason why the canal company should have objected to this course—and yet it was constantly and steadily objected to by them, they preferring to press for a final decision on their motion to dissolve the injunctions.

R. B. TANEY,
WM GWYNN,
REVERDY JOHNSON,
JOHN V. L. McMAHON,
JOHN H. B. LATROBE.

NO. 2.

Affirmation endorsed on the Injunction of the Baltimore and Ohio Rail Road Company, against the Chesapeake and Ohio Canal Company.

“State of Maryland, Baltimore City, to wit:

Be it remembered that on this sixth day of August, in the year, eighteen hundred and twenty eight, before me the subscriber, a justice of the peace of said State, in and for said city, personally appeared John N. Browne, who made oath on the Holy Evangely of Almighty God, that he served the within injunction upon Charles Fenton Mercer, President of the Chesapeake and Ohio Canal company, and left a copy thereof with said Mercer, on the twenty fourth day of June in the year aforesaid. And that he served the same upon John Mason, President of the Potomac company, and left a copy with said Mason, on the twenty seventh day of June aforesaid.

Sworn before. JAS. B. LATIMER.”

NO. 3.

“To the President and Directors of the Baltimore and Ohio Rail Road Company.

WASHINGTON, July 7th, 1829.

GENTLEMEN:—Please to take notice, that the motion of which we gave you notice in May last, through our counsel, Walter Jones, for the dissolution of the injunction, obtained by you against us in the court of Chancery of Maryland, and which, owing to the engagements of your counsel, could not be taken up on that day appointed, viz: on the 28th of May last. will be made on Monday the 20th day of July inst. on which day we