

hundred and thirty, come again into the court of appeals here, as well the said mayor and city council of Baltimore, by John Scott and Roger B. Taney, their attorneys, as also the said John Barron, survivor as aforesaid, by Charles F. Mayer and David Hoffman, his attorneys; whereupon, as well the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid by the said mayor and city council of Baltimore above for error assigned being seen, and by the court of appeals here fully understood, and mature deliberation thereupon had, for that it appears to the court of appeals here, that in the record and proceedings aforesaid, and also in the rendition of the judgment aforesaid, it is manifestly erred: therefore, it is considered by the court here, that the judgment aforesaid for those errors, and others in the record and proceedings aforesaid, be reversed, annulled, and held entirely as void; and that the said mayor and city council of Baltimore be restored to all things which, by reason of the judgment aforesaid, they have lost; and that the said mayor and city council aforesaid go thereof, without day, and so forth. It is also considered by the court here, that the said mayor and city council aforesaid recover against the said John Barron, survivor as aforesaid, the sum of three hundred and seventy-four dollars eighty-eight and one-third cents, adjudged unto the said mayor and city council aforesaid for his costs and charges by him sustained about the prosecution of his said appeal of and upon the premises as aforesaid prosecuted; and that the said mayor and city council aforesaid have thereof execution, and so forth.

Test:

JOHN JOHNSON, *Clk.*

Afterwards, to wit, on the twenty-second day of June, in the year of our Lord one thousand eight hundred and thirty-one, the aforesaid John Barron, survivor as aforesaid, by his attorneys aforesaid, produced to the court of appeals here the writ of the United States for the correcting of errors of and upon the premises, commanding the record and proceedings of the judgment last aforesaid, so as aforesaid rendered, with all things concerning the same, to be transmitted to the Supreme Court of the United States; which said writ of error follows in these words, to wit:

UNITED STATES OF AMERICA, ss. — *The President of the United States to the honorable the judges of the court of appeals for the western shore of the State of Maryland, greeting:*

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said court of appeals for the western shore of the State of Maryland, being the highest court of law or equity of the said State in which a decision in the suit could be had, before you or some of you, between the mayor and city council of Baltimore, appellants, and John Barron, appellee, on appeal from a judgment of the county court of Baltimore county, wherein was drawn in question the validity of an authority exercised under the State of Maryland, on the ground of its being repugnant to the Constitution of the United States, and the decision of the said court of appeals was in favor of such its validity, a manifest error hath happened, to the great damage of the said John Barron, as by his complaint appears; we, being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then,

under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same at Washington, on the first Monday of August next, in the said Supreme Court, to be then and there held, that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein to correct that error, what of right and according to the laws and custom of the United States should be done.

Witness the honorable John Marshall, Chief Justice of the said Supreme Court, the second Monday in January, in the year of our Lord one thousand eight hundred and thirty-one.

WM. THOS. CARROLL, [L. S.]

*Clerk of the Supreme Court of the United States.*

Allowed by

JOHN BUCHANAN,  
*Chief Judge of the Court of Appeals.*

In pursuance whereof, and according to the form and effect of the act of Congress of the United States in such case made and provided, a transcript of the record and proceedings of the judgment last aforesaid, so as aforesaid rendered, with all things concerning the same, together with the said writ of error, are hereby transmitted to the said Supreme Court of the United States accordingly.

Test:

JOHN JOHNSON, *Clk.*

MARYLAND, sct.

I hereby certify that the foregoing is a full and true copy taken from the records and proceedings of the court of appeals for the western shore of said State.

In testimony whereof, I hereunto subscribe my name, and affix the seal of the said court of appeals, this first day of July, in the year of our Lord one thousand eight hundred and thirty-one.

JOHN JOHNSON, [L. S.]

*Clerk Court of Appeals W. S. S. M.*