Whereupon afterwards, towit, on the twenty third day of July in the year of our Lord one thousand eight hundred and twenty three, comes again into Court here the aforesaid John Williams by his Solicitors and prays an Appeal from the Decree aforesaid so as aforesaid made unto the next Court of Appeals to be held for the Eastern shore of the said State, at the Town of Easton on the last Monday in November then next ensuing, and the Appeal aforesaid so as aforesaid prayed by the said John Williams is granted unto him, and the proceedings ordered to be transmitted, and the same are transmitted accordingly.

Maryland to wit. In Testimony that the aforegoing is a true Copy of Liber G.H. No. 2. commencing at folio 103. and of the records belonging to the Office of the Clerk of Somerset County Court I have hereto set my hand and affixed the seal of the said County Court this twenty sixth day of October in the year of our Lord Eighteen hundred and twenty three.

Test Geo. Handy Clk of Somerset County Court.

The Exhibit referred to in the above proceedings has not been filed as it therein states.

Costs $5.21 6/30

Geo. Handy Clk

And now come into the Court of Appeals here as well the said Peter Guillet by Ira Spence Esquire his Solicitor as the said John Williams by Josiah Bayly, Ephraim K. Wilson, Robert H. Martin and Irving Spence, Esquires his Solicitors: And the said John Williams by his Solicitors aforesaid, says that in the record of proceedings aforesaid, and also in the making & passing of the Decree aforesaid, there is manifest error in this, towit, that by the record aforesaid it appears, that the Decree aforesaid, in the plea aforesaid made & prayed was made and passed for the said Peter Guillet against the said John Williams, when by the law of the land that Decree ought to have been made and prayed for the said John Williams against the said Peter Guillet, therefore in that there is manifest error, and he prays that the Decree aforesaid for that error, and others being in the record of proceedings aforesaid, may be reversed, annulled and held entirely as void, and that he the said John Williams may be restored to all things which he hath lost by reason of the said Decree, and that the said Peter Guillet may rejoin to the errors aforesaid &c. And the said Peter Guillet by his Solicitors aforesaid, says there is no error in the record of proceedings aforesaid, nor in the passing of the Decree aforesaid, and he prays that the Court of Appeals here will proceed to the examination, as well of the record of proceedings aforesaid, as of the matters aforesaid, by the said John Williams above for errors assigned, and that the said Decree may be in all things affirmed &c. But because the Court of Appeals here are not advised what Decree to make in the premises, day therefore is given to the parties aforesaid before the Court of Appeals here until the first Monday in June next, to hear the Decree of the Court of Appeals here in the premises, for that the Court now here thereof are not advised &c.

And now at this day, towit, the said first Monday in June, being the seventh day of the same month, in the year of our Lord one thousand eight hundred and twenty four, came again into the Court of Appeals here the parties aforesaid by their Solicitors aforesaid; whereupon the Court of Appeals here passed the following Decree, towit,

John Williams vs Peter Guillet

June Term 1824 — The record & proceedings in this cause were by the Court read and considered; It is thereupon this 16th day of June 1824 by the Judges of the Court of Appeals, ordered, adjudged and decreed that the Decree made in this cause by Somerset County Court, be and the same is hereby reversed and annulled, with Costs to the Appellants; and the said County Court is hereby directed to dissolve the injunction and to dismiss the bill in the said Court; and it is also ordered that a Copy under the Seal of this Court of this adjudication and decree, be transmitted to the said County Court, to the end that the said County Court may proceed in the matter to the said County Court, to the end that the said County Court may proceed according to the tenor and direction thereof —

J. Buchanan
W. F. Earle — J. Stephen

Memorandum. The Decree of the County Court was reversed the 16th day of June 1824 with Costs including sixty three dollars and ninety cents Costs to John Williams, the appellant.

Attest James Parrott Clk.

And be it remembered that on the seventh day of May Eighteen hundred & twenty five, the said John Williams by Ephraim K. Wilson Esquire his Solicitor, prosecuted and sued forth out of the Court of Appeals here, of and upon the Decree aforesaid made & passed by the said Court of Appeals, a writ of the State of Maryland of Capias ad satisfaciendum, to the Sheriff of Somerset County directed, in the words & figures following, towit,

Maryland to wit. The State of Maryland, to the Sheriff of Somerset County, Greeting: Whereas at a County Court begun and held at Princess Anne in and for Somerset County on the fourth Monday of May in the year of our Lord Eighteen hundred and twenty three, a certain Peter Guillet obtained a Decree of the said Court, sitting as a Court of Equity, that the Injunction before that time granted him to stay proceedings at Law at the suit of John Williams should be dissolved as to one fifteenth part of the damages given by the verdict of the jury to the said John Williams, and all the Costs of suit & made perpetual as to the residue of the damages, as appears by the inspection of the record and proceedings of the said County Court which was lately caused to be brought into the Court of Appeals at Easton for certain causes of error in the same to be corrected. And whereas at a Court of Appeals begun and held for the Eastern shore of the said State at Easton in Talbot County on the first Monday of June in the year of our Lord Eighteen hundred & twenty four, it was considered by the said Court, that for sundry errors in the record & proceedings aforesaid, and also in passing of the Decree aforesaid, that the said Decree should be reversed and annulled, and the said County Court of Somerset was directed to dissolve the Injunction & to dismiss the Bill of Complaint in the said Court, It was also considered, that the said John Williams recover against the said Peter Guillet, the sum of One hundred and sixty three dollars and ninety cents adjudged unto him upon the reversal of the said Decree, for his costs & charges by him put to, about his appeal aforesaid and upon the premises, therefore you are hereby commanded to take the said Peter Guillet if in your bailiwick he shall be found, and him in your custody safely keep so that you have his body before the Court of Appeals to be held for the Eastern shore of the said State at Easton aforesaid, on the first Monday of June next, to satisfy unto the said John Williams the Costs and charges aforesaid. And of fail not at your peril and have you then and there this writ. Witness the Honorable John Buchanan Esquire Chief Judge of the Court of Appeals the 29th day of November 1824. Issued the 16th day of May 1825.

Test James Parrott Clk

At which said first Monday of June, being the sixth day of the same month, in the year of our Lord One thousand eight hundred and twenty five, and the return day of the aforegoing writ, comes into the Court of Appeals here the said John Williams by his Solicitors aforesaid, and the Sheriff of Somerset County aforesaid to whom the said aforegoing writ was in form aforesaid directed, makes return thereof to the Court here, thus endorsed, towit,

Non Est Robert Stewart Sh. Somt Co

And be it further remembered, that on the thirteenth day of June Eighteen hundred and twenty five, the said John Williams by Ephraim K. Wilson Esquire his Solicitor, prosecuted and sued forth out of the Court of Appeals here of and upon the Decree aforesaid made & passed by the said Court of Appeals, an alias writ of the State of Maryland of Capias ad satisfaciendum, to the Sheriff of Somerset County directed in the words & figures following, towit,

Maryland to wit. The State of Maryland to the Sheriff of Somerset County Greeting: Whereas at a County Court begun and held at Princess Anne in and for Somerset County on the fourth Monday of May in the year of our Lord Eighteen hundred and twenty three, a certain Peter Guillet obtained a Decree of the said Court, sitting as a Court of Equity, that the Injunction before that time granted him to stay proceedings at Law at the suit of John Williams should be made perpetual except as to one fifteenth part of the damages given by the verdict of the jury to the said John Williams, as appears by the inspection of the record of proceedings of the said County Court, which was lately caused to be brought into the Court of Appeals at Easton for certain causes of error in the same to be corrected. And whereas at a Court of Appeals begun and held for the Eastern shore of the said State at Easton in Talbot County on the first Monday of June in the year of our Lord Eighteen hundred & twenty four, it was considered by the said Court that for sundry errors in the record and proceedings aforesaid, and also in passing of the Decree aforesaid, that the said Decree be reversed and annulled, and the said County Court of Somerset was directed to dissolve the Injunction and to dismiss the Bill of Complaint in the said Court; it was also considered by the said Court, that the said John Williams recover against the said Peter Guillet, the sum of One hundred