

1 State of Maryland Hayford County, To Wit,

At a County Court of the Sixth Judicial District of the State of Maryland begun and held for Hayford County aforesaid at the Court house in the Town of Beltsville in said County on the second Monday of March in the year of our Lord one thousand Eight hundred and Twenty one. Present

Walter Dorsey Chief Judge

The Honorable Charles M. Hanson

William H. Ward

} Associate Judges

Jeshua Hynton Gentleman Sheriff & Henry Dorsey Clk

In the record of proceedings of the said Court amongst others were the following to wit,

The State of Maryland — (Be it remembered that

against James A. Buchanan, second Monday of March  
Samuel M. C. Cullish and in the year of our Lord  
George Williams — one thousand Eight hundred

and Twenty the Chief Judge and Associate Judges of

Baltimore City Court in pursuance of the act of assembly in such cases made and provided transmitted

to the County Court here the record of proceedings in a plea which was lately depending before them

in the said Court between the State of Maryland plaintiff and James A. Buchanan and Samuel M. C. Cullish and George Williams Defendants the Senor

MSA S 385-147

of which said record and proceedings is in four  
following, To wit

City of Baltimore &c. At a Baltimore City Court  
held at the Court house in the City of Baltimore on  
the second Monday of February in the year of our Lord  
one thousand eight hundred and Twenty for the  
trial of all felonies crimes offences and misdeme-  
anors committed in the City of Baltimore.

Presents

Nicholas Bries, Chief Judge  
The Honorable Mission M. Mechem, Associate Judges  
Alexander Tistot, do  
John Stevenson Esq. Sheriff. Th. Hancock, Clk

Among others the following proceedings, to wit,  
The State of Maryland

vs  
James A. Buckhannon and  
James W. McCulloch &  
George Williams  
Be it remembered that  
heretofore to wit, at a  
Baltimore City Court  
held at the Court house  
in the City of Baltimore on the first Monday of June  
in the year of our Lord one thousand eight hundred  
and nineteen for the trial of all felonies crimes  
offences and misdemeanors committed in the  
City of Baltimore Richard H. Heath Ebenezer  
Sincy Alexander Irwin Randal H. Moad John  
Lynch John Snyder Richardson Stuart John

Bruce Peter Torrey Architect Her Alexander Mott  
James Hugh George Warner John H. Rogers Atlat  
and White Williams Mansbury Richard Stevens  
Leonard Power George Keyser Nathaniel Knight Levin  
Hae George Hughes and William Chambers go and  
Lawful men of the City of Baltimore, who being emp  
-necessa sword and charged to enquire for the State  
of Maryland for the body of the City of Baltimore  
having withdrawn from the bar of the Court here  
afterwards return and present to the Court <sup>here</sup> present  
-ment in form following To wit,

City Court June Term 1819. The grand Inquest for the  
body of the City of Baltimore on their oath present James  
A. Buchanan and late President of James M. McCulloch  
late Cashier of the Office of discount and deposits in  
Baltimore & George Williams late a director in the  
Bank of the United States for a Conspiracy and combin  
-ation to cheat and defraud the President directors &  
Company of the Bank of the United States by which  
Conspiracy and combination the said James A.  
Buchanan James M. McCulloch & George Williams  
did cheat and defraud the said President directors  
and Company of the bank of the United States by  
taking and using for their the said James A.  
Buchanan James M. McCulloch & George Williams  
own private purposes & without the knowledge

and Consent of the Directors aforesaid. the sum of  
Fifteen hundred thousand dollars alleging that

and Consent of the Directors aforesaid. the sum of  
Fifteen hundred thousand dollars alleging that

Witness the Honorable Nicholas Bruce Esquire  
 Chief Judge of our said Court this 7<sup>th</sup> day of June  
 1819.

(L. M.)

Given the 20<sup>th</sup> day of July 1819  
 Th. Hancock Clk

And the Sheriff of Baltimore County to wit John Ste-  
 venon gentleman to whom the said foregoing Writ  
 was in form aforesaid directed makes return thereof  
 to the Court here thus enounced to wit, . . . . .

Ceipi omnino J. Stevenson Clk

Whereupon Comd here into Court the aforesaid James  
 A. Buchanan James W. McCulloch & George Williams  
 in their proper persons. Whereupon it is ordered by  
 the Court here that James A. Buchanan enter into  
 recognizance in the sum of one hundred thousand  
 dollars Current money with two securities in the  
 sum of Fifty thousand dollars Current money each  
 for the appearance and attendance of the said  
 James A. Buchanan to answer the charge aforesaid  
 and not to depart the Court without the leave thereof  
 It is also ordered by the Court here that the said James  
 W. McCulloch enter into recognizance in the sum of  
 one hundred thousand dollars Current money with  
 two securities in the sum of Fifty thousand dollars  
 Current money each for the appearance and attend-  
 ance of the said James W. McCulloch to answer the  
 charge aforesaid and not to depart the Court = 3

Without leave thereof and it is also ordered by the court here that the said George Williams enter into recognizance in the sum of one hundred thousand dollars current money with two securities in the sum of fifty thousand dollars current money each for the appearance and attendance of the said George Williams to answer the charge aforesaid and not to depart the court without the leave thereof. Whereupon the said James A. Buchanan present in court here acknowledges himself to owe and stand fully indebted unto the State of Maryland in the sum of one hundred thousand dollars current money and Robert Smith and James Calhoun also present in court here in like manner acknowledge themselves to owe and stand fully indebted to the said State of Maryland in the sum of fifty thousand dollars current money each which said sums they and each of them acknowledge shall be made and levied of their respective bodies goods and chattels lands and Tenements to and for the use of the said State of Maryland in case the said James A. Buchanan shall not make his personal appearance before the court here to answer the charge aforesaid and shall depart the same court without leave thereof . . . . .

Whereupon the said James M. M. Calloch present



and he is of their respective to his goods and chattels  
lands and tenements to and for the use of the said  
State of Maryland in case the said George Will-  
iams shall not make his personal appearance before  
the Court here to answer the charge aforesaid and  
shall depart the same Court without leave thereof

Whereupon the State of Maryland by Luther  
Martin attorney General of the said State and  
district attorney of Baltimore City Court exhibits to  
the grand Inquest now here empaneled sworn and  
charged to enquire for the State of Maryland for the  
body of the City of Baltimore an indictment against  
the said Samuel A. Buchanan, James M. McCulloch and  
George Williams in form following To wit,

State of Maryland City of Baltimore To wit,  
The Jurors for the State of Maryland for the body  
of the City of Baltimore on their oath present. That  
by an act of Congress of the United States passed on  
the tenth day of April in the year of our Lord one  
thousand Eight hundred and Sixteen at the City of  
Washington. entitled an act to incorporate the  
Subscribers to the Bank of the United States a Bank  
was established and chartered as a Corporation and  
body Politic. by the name and style of The President  
directors and company of the Bank of the United  
States with authority power and Capacity among



3 Other things to have purchase received possession  
and retain to them and their successors, Assignments  
Beneficiaries, heirs, assigns, executors, administrators and effects of  
Whatsoever kind nature and quality to an amount  
not exceeding in the whole Fifty five millions of  
dollars, to be had and had in bills of exchange gold  
and Silver Bullion, and to take at the rate of six  
percentum per annum <sup>for or</sup> upon its loans or discounts  
and to give bills or notes signed by the President  
and Countersigned by the principal Cashier or  
Treasurer thereof promising the payment of money  
to any person or persons holder or their order or to  
bearer, and that under and by virtue of the power  
and Authority given to the said Directors by the said  
act of Congress, an office of discount and deposit of  
the said Corporation, was at the time hereinafter  
mentioned regularly and duly established in  
pursuance of the power contained in the said  
act at the City of Baltimore in the State of Maryland  
aforesaid and that George Williams late of the  
City of Baltimore Merchant was at the time here-  
inafter mentioned and before and afterwards  
and of the directors of the said Bank of the United  
States at Philadelphia to wit, at the City of Balti-  
more aforesaid and that James A. Buehler an  
late of the City of Baltimore, Merchant was at

the time hereinafter mentioned and before and since  
President of the said office of discount and deposit of  
the said Bank of the United States in the City of Bal-  
timore, and James M. McCulloch late of the City of Bal-  
timore Gentlemen was at the time hereafter mention-  
ed and before and afterwards Cashier of the said  
office of discount and deposit of the said Bank of  
the United States in the City of Baltimore, testis, at the  
City of Baltimore aforesaid, and that the said George  
Williams, so being one of the directors of the said Bank  
of the United States, and that <sup>the</sup> said James McCulloch  
so being President of <sup>the</sup> said office of discount and depo-  
sit of the said Bank in the City of Baltimore, and the  
said James M. McCulloch, so being Cashier of the said  
office of discount and deposit of the said Bank in the  
City of Baltimore, being well disposed and dishonest  
persons and wickedly, devising, contriving and intending  
felicitly, unlawfully, fraudulently, craftily and unjust-  
ly, and by indirect means to cheat and impoverish the  
said President, directors and Company of the Bank  
of the United States and to defraud them of their  
monies, funds and promissory notes for the pay-  
ment of money commonly called Bank notes, and  
of their honest and fair gains to be derived, under  
and pursuant to the said act of Congress, from the  
Use of their said monies, funds and promissory notes

for the payment of <sup>money</sup> commonly called Bank notes  
on the eighth day of May in the year of our Lord one  
thousand eight hundred and Nineteen at the City of  
Baltimore aforesaid with force and arms &c. and  
Wickedly falsely fraudulently and unlawfully  
Conspire Combine Conspire and agree together  
by Wrongful and indirect means to cheat defraud  
and Impoverish the said President directors and  
Company of the bank of the United States and by  
subtle fraudulent and indirect means and divers  
artful unlawful and dishonest devices and prac-  
tices to obtain and embezzle a large amount of money  
and of promissory notes for the payment of money  
commonly called Bank notes to the <sup>amount</sup> of the amount  
and Value of Fifteen hundred thousand dollars  
Current money of the United States the same being  
then and there the property and part of the proper funds  
of the said President directors and Company of the  
Bank of the United States from and out of the said  
office of discount and deposit of the said Bank in the  
City of Baltimore without the knowledge privity or  
consent of the said President Directors & Company of  
the bank of the United States and also without the  
privity consent or knowledge of the directors of the  
said office of discount and deposit of the said Bank  
in the City of Baltimore for the purpose of having and 6

enjoying the use thereof for a long space of <sup>time</sup> ~~the~~ <sup>to</sup> collect  
for the space of two months without paying any Inter-  
est discount or equivalent for the use thereof and with-  
out securing the repayment thereof to the said Corpora-  
tion and the more effectually and securely to perpetrate  
and conceal the same that the said James M.  
McCulloch should from time to time falsely and fraud-  
ulently state alleges and represent to the said direc-  
tors of the said office of discount and deposit in the  
City of Baltimore that such monies and promissory  
notes so agreed to be obtained and employed as  
aforesaid were loaned on good sufficient and  
amply security in Capital stock of the said Bank  
pledged and deposited therefor and also should  
from time to time make and fabricate false  
Statements and Vouchers respecting the same and  
other property and funds of the said Corporation  
to be laid before and exhibited to the said directors  
of the said office of discount and deposit of the said  
Bank in the City of Baltimore and that the said  
George Williams James M. Buchanan and James M.  
McCulloch being such officers of the said Corpora-  
tion as aforesaid did then and there in pursuance  
of and according to the said unlawful false and  
Wicked Conspiracy and Conspirency Combination  
and agreement aforesaid by indirect subtle wrong

4 -ful fraudulent and unlawful means and by divers artful  
and dishonest devices and practices and without the knowledge  
privity or consent of the said President, Directors and company  
of the Bank of the United States and without the privity  
knowledge or consent of the Directors of the said office of  
Discount and Deposit of the said Bank in the City of  
Baltimore obtain and embezzle a large amount of monies  
and of promissory notes for the payment of money commonly  
called Bank notes the same being the property and part  
of the proper funds of the said Corporation from and out of  
their said office of Discount and Deposit in the City of  
Baltimore to wit, of the amount and value of Fifty  
Hundred Thousand Dollars Current money of the United  
States for the purpose of having and enjoying the use thereof  
and did have and enjoy the use thereof <sup>for a long space of time to wit</sup> for the space of two months  
without paying any interest, discount or equivalent therefor  
and without securing the repayment of the said monies and  
the said promissory notes for the payment of money commonly  
called Bank notes; And did then and there falsely, craftily,  
deceitfully fraudulently and wrongfully and unlawfully  
keep and convert the same to their own use and benefit  
without the knowledge, privity or consent of the said corpo-  
ration and without the knowledge privity or consent of  
the Directors of the said office of Discount and Deposit

in the City of Baltimore and did then and there the more  
effectually to perpetrate and conceal the said conspiracy,  
Confederacy, fraud and embezzlement, cause and procure  
false and fraudulent representations, allegations, statements  
and vouchers to be made and fabricated and the same  
to be exhibited to and laid before the Directors of the said

in the City of Baltimore and did then and there the more  
effectually to perpetrate and conceal the said conspiracy,  
Confederacy, fraud and embezzlement, cause and procure  
false and fraudulent representations, allegations, statements  
and vouchers to be made and fabricated and the same  
to be exhibited to and laid before the Directors of the said

forth were and there made done and perpetrated by the said  
George Williams James A Buchanan and James W McCulloch  
in abuse and violation of their duty and the trust  
reposed in them and the oaths taken and lawfully  
sworn by them respectively as such officers of the said  
Corporation as aforesaid and that the said George  
Williams James A Buchanan and James W McCulloch  
did then and there thereby falsely wickedly fraudulently  
wrongfully and unlawfully impoverish, cheat and defraud  
the said President Directors and Company of the Bank  
of the United States to the great damage of the said  
President, Directors and company to the evil example  
of all others in like manners offending and against  
the peace Government and dignity of the State of Maryland.

And the jurors aforesaid on their oath aforesaid do further  
present that the said George Williams so being one of the  
Directors of the said Bank of the United States at Philadelphia  
to wit at Baltimore aforesaid and the said James A Buchanan  
so being President of the said office of Discount and Deposit  
of the said Bank in the City of Baltimore and the said  
James W McCulloch so being Cashier of the said office of  
Discount and Deposit of the said Bank in the City of Baltimore  
being evil disposed and dishonest persons and wickedly  
devising and contriving and intending falsely unlawfully  
fraudulently craftily and unjustly and by indirect means





5  
said Bank in the City of Baltimore without the knowledge  
privity or consent of the said President directors & Company  
of the Bank of the United States, and also without the  
privity consent or knowledge of the directors of the said  
Office of discount and deposit of the said Bank in the  
City of Baltimore for the purpose of having and enjoying  
the use thereof for a long space of time, to wit. for the space  
of two months without paying any Interest discount or  
equivalent for the use thereof and without securing  
the repayment thereof to the said Corporation, and that  
the said false wicked unlawful and fraudulent  
Conspiracy Confeassary and agreement above men-  
tioned were therein and there made done and perpetrated  
by the said George Williams, James A. Buchanan and  
James M. McCulloch in abuse and Violation of their  
duty and the trust reposed in them and the Oath taken  
and lawfully sworn by them respectively as such  
officers of the said Corporation as aforesaid to the great  
damage of the said President directors and Company,  
to the Eric Gumper of all others in like manner  
offending and against the peace government and  
dignity of the State of Maryland &c.

Luther Martin attorney general  
of Maryland & District attorney of  
Baltimore City Court

Whereupon the said grand Inquest having retired  
from the bar of the Court here to enquire of and  
concerning the said Indictment after a return  
the said Indictment to the Court here there was done  
To Wits,

True Bill N. H. Heath Juror

And thereupon further process of and upon the premises  
aforesaid against the said James A. Buchanan  
James M. McCulloch and George Williams is continu-  
ed until the first Monday in November next and  
thereupon a process aforesaid of the said James A.  
Buchanan James M. McCulloch and George Williams  
and their said securities entered into for securing  
the appearance and attendance of the said James A.  
Buchanan James M. McCulloch and George Williams  
are respited by order of the Court here until that day  
which is given to the said James A. Buchanan James  
M. McCulloch and George Williams to be answer'd  
At which said day that is to say the first Monday in  
November in the year of our Lord one thousand eight  
hundred and nineteen come into the City Court here  
the said Luther Martin the attorney general of the said  
State of Maryland. and a district attorney of Balti-  
more City Court and Thomas H. Coe a district  
attorney for Baltimore City bond for and on behalf  
of the said State and there also come the said James  
A. Buchanan and James M. McCulloch and George Williams

in their proper persons, and thereupon further process  
of and upon the premises aforesaid against the said  
James A. Buchanan James M. McCulloch and  
George Williams is continued until the second  
Monday of February next and the recognizances  
aforesaid of the said James A. Buchanan James M.  
McCulloch and George Williams and their said se-  
curities entered into for securing the appearance and  
attendance of the said James A. Buchanan James  
M. McCulloch and George Williams are respited by  
Order of the Court here until that day which is given  
to the said James A. Buchanan James M. McCulloch  
and George Williams then to appear and answer &c.  
At which said day that is to say the second Monday  
of February in the year of our Lord and thousand -  
eight hundred and Twenty. Cometh into the City -  
Court here the said Luther Martin the attorney  
General of the said State of Maryland and district  
attorney of Baltimore City Court and Thomas Keel  
Assistant district attorney for Baltimore City  
Court for and on behalf of the said State and  
here also cometh the said James A. Buchanan James  
M. McCulloch and George Williams in their proper  
persons and filed in Court here the following -  
suggestions <sup>and affidavits</sup> as follows, To wit,

In Baltimore City Court February Term 1820

State of Maryland

vs

James M. McCulloch

George Williams

James A. Buchanan

State of Maryland

vs

James A. Buchanan

James M. McCulloch

Said

vs

Said

Then Comd James A. Buchanan and suggests to Baltimore City Court that a fair and Impartial trial of the above prosecutions cannot be had in said Court and pray that the record of proceedings in the above cases may be removed to an adjoining county for trial according to the Constitution and Laws in such case made and provided

J. A. Buchanan  
Baltimore City Court, on this 19<sup>th</sup> February 1820.  
James A. Buchanan made oath that the above suggestion is true. Sworn before, M<sup>rs</sup> J. P. Pincus  
Justice of the peace for  
Baltimore County  
at Baltimore City Court - February Term 1820  
State of Maryland

11  
James M. McCulloch  
George Williams  
James A. Buchanan  
State of Maryland

11  
James A. Buchanan  
James M. McCulloch  
Same

11  
Same  
State  
11  
J. M. McCulloch  
State

11  
James M. McCulloch  
Indict for same

Then came James M. McCulloch and  
and suggests to Baltimore City Court that a fair and  
impartial trial of the above prosecutions cannot be

that the record of  
James M. McCulloch  
George Williams  
James A. Buchanan  
State of Maryland

11  
James A. Buchanan  
Indict for conspiracy

Baltimore County of

on this 15<sup>th</sup> July 1820. James M.

McCulloch made oath that the above suggestion a true  
Sworn before John S Harris, a Justice of the  
peace for Baltimore County -  
In Baltimore City Court - February Term 1820

State

v<sup>s</sup>

George Williams Indictment for Conspiracy  
James A Buckhanan and  
James M. McCulloch

Then came George Williams and suggests to Baltimore  
City Court, that a fair and Impartial trial of the above  
Cause cannot be had in said Court, and prays that  
the record of proceedings thereof may be transmitted  
to an adjoining County for trial, according to the  
Constitution and laws in such case made, provided

Geo Williams

Baltimore County of

on this 21<sup>st</sup> February 1820 came

before the Subscribed Justice of the peace for said  
County and made oath that the foregoing suggestion  
is true -  
Sworn before John S Harris  
which being severally read and duly considered  
by the Court here it is thereupon <sup>and</sup> adjudged  
by the Court here that the record of proceedings in the

Said Cause to be transmitted to Hayford County Court  
to be held at Beech Air on the second Monday of  
March next that the said Court may then and there  
proceed to the trial thereof and to do therein as to  
Justice may appertain and so forth. It is also order-  
ed by the Court here that the said James A. Buchanan  
enter into recognizance in the sum of five thousand  
dollars Current money with two securities in the  
like sum of five thousand dollars Current money  
It is also ordered by the Court here that the said  
James M. McCulloch enter into recognizance in the  
sum of five thousand dollars Current money with  
two securities in the like sum of five thousand dollars  
Current money and it is also ordered by the Court  
here that the said George Williams enter into recog-  
nizance in the sum of five thousand dollars Current  
money with two securities in the like sum of five  
thousand dollars Current money for their the said  
James A. Buchanan, James M. McCulloch and George  
Williams appearance at Hayford County Court to  
be held at Beech Air on the second Monday of  
March next to answer unto the Indictment  
aforesaid and not to depart the same Court  
without leave thereof. Whereupon the said  
James A. Buchanan present in Court here acknow-  
-=leazes himself to our and stand Justly =

7 indented to the State of Maryland in the sum of five thousand dollars current money and Robert Smith and John Smith also present in Court here in like manner acknowledge themselves to owe and stand Justly Indented unto the State of Maryland in the sum of five thousand dollars current money which said sums they and each of them acknowledge shall be made and levied of their respective bodies goods and Chattels lands and tenements to and for the use of the said State of Maryland in case the said James Bushman shall not make his personal appearance before Harford County Court to be held at Brewster on the second Monday of March next to answer unto the Indictment aforesaid and shall depart the said Court without leave thereof.

Whereupon the said James M<sup>o</sup> McCulloch present in Court here acknowledges himself to owe and stand Justly indented to the State of Maryland in the sum of six thousand dollars current money and John S. Williams and Samuel M<sup>o</sup> McCulloch also present in Court here in like manner acknowledge themselves to owe and stand Justly Indented unto the State of Maryland in the sum of five thousand dollars current money which said sums they and each of them acknowledge shall be made and levied of their respective bodies goods and Chattels lands.



and Tenements to and for the use of the said State  
of Maryland in case the said James M. McCulloch  
shall not make his personal appearance before  
Harford County Court to be held at Bellesville on the  
second Monday of March next to answer unto the  
indictment aforesaid and shall depart the same  
Court without leave thereof.

Whereupon the said George Williams present in  
Court here acknowledge himself to owe and stand  
Justly indebted to the State of Maryland in the  
sum of five thousand dollars Current money and  
Jonathan Merdith and Samuel McCulloch also  
present in Court here in like manner acknowledge  
themselves to owe and stand Justly indebted unto  
the State of Maryland in the sum of five thousand  
dollars Current money which said sums they and  
each of them acknowledge shall be made and  
levied of their respective bodies goods of Chattels  
Lands and Tenements to and for the use of the said  
State of Maryland in case the said George Williams  
shall not make his personal appearance before  
Harford County Court to be held at Bellesville on  
the second Monday of March next to answer  
the Indictment aforesaid and shall depart the  
same Court without leave thereof.

And also at a present Term a certain John Dornell

I John White Roswell L. Holt David Manfist James  
Beatty and Isaac Pamerson appear in open Court then  
and each of them acknowledge himself to owe and  
stand fully indebted to the State of Maryland in the  
sum of one hundred and eleven hundred money of his body  
goods and chattels lands and tenements to be made  
and levied to and for the use of the said State of  
Maryland in case the said John Roswell John White  
Roswell L. Holt David <sup>Manfist</sup> James Beatty and Isaac Pam-  
-erson and each of them shall not make his person-  
-al appearance before Harford County Court to be  
held at the Court house in Poolesville on the second  
monday of March next to testify for the State  
of Maryland against James A. Buchanan James  
W. M. Cullch and George Williams on the charge  
aforesaid, and shall depart the said Court with-  
out leave thereof.

Test Th. Harwood Clerk  
City of Baltimore Sol<sup>l</sup> City, This do certify that the  
aforegoing Transcript is truly taken from the record  
of proceedings of Baltimore City Court.

In Testimony whereof I hereto set my name  
and affix the seal of Baltimore City Court  
this twenty ninth day of February in the  
year of our Lord one thousand eight hundred  
and Seventy Th. Harwood Clerk Baltimore City Court



And now comes into our County Court here, Honny M. Murray  
District Attorney of the sixth Judicial District of the State  
of Maryland, for and on behalf of the State of Maryland,  
and now also come the said James A. Buchanan, James W.  
McCulloch and George Williams in their proper persons, and  
thereupon further process of and upon the promises aforesaid  
against the said James A. Buchanan, James W. McCulloch and  
George Williams is continued until the fourth monday of August  
next, and the recognizances aforesaid of the said James A.  
Buchanan, James W. McCulloch and George Williams and  
their securities, entered into for securing the appearance and  
attendance of the said James A. Buchanan, James W. McCul-  
loch and George Williams, as also the recognizances aforesaid  
of the said John Donnell, John White, Roswell L. Colt,  
David Warfield, James Beatty and Isaac Edmondson en-  
tered into for securing the appearance and attendance of  
the said John Donnell, John White, Roswell L. Colt,  
David Warfield, James Beatty and Isaac Edmondson to  
testify for the said State in the plea aforesaid, are respited  
by order of the Court here unto that day, which is given to  
the said James A. Buchanan, James W. McCulloch and  
George Williams then to appear and answer &c.

At which said fourth monday of August in the year of our Lord  
one thousand eight hundred and twenty, comes a gain into the County  
Court here the said Henry M. Murray District Attorney of the sixth  
Judicial District of the State of Maryland, for and on behalf  
of the said State, and now also come the said James A. Buchanan  
James W. McCulloch and George Williams in their proper persons,  
and thereupon further process of and upon the premises aforesaid  
against the said James A. Buchanan James W. McCulloch and  
George Williams is continued unto the second monday of March  
next, and the recognizances aforesaid of the said James A.  
Buchanan James W. McCulloch and George Williams and their se-  
curities entered into for securing the appearance and attendance  
of the said James A. Buchanan James W. McCulloch and George  
Williams as also the recognizances aforesaid of the said John  
Donnell John White Roswell L. Cott, David Warfield James  
Beatty and Isaac Edmondson entered into for securing the  
appearance and attendance of the said John Donnell John  
White Roswell L. Cott, David Warfield James Beatty  
and Isaac Edmondson to testify for the said State against  
the said James A. Buchanan James W. McCulloch and  
George Williams in the plea aforesaid, are rescripted by order of  
the Court here unto that day, which is given to the said  
James A. Buchanan James W. McCulloch and George Williams

then to appear and answer &c

At which mentioned second Monday of March in the year of our Lord one thousand eight hundred and twenty one, comes again into the County Court here the said Henry W. Murray District Attorney of the sixth Judicial District of the State of Maryland for and on behalf of the said State, and do now also come the said James A. Buchanan, James W. McCulloch and George Williams by William Pinkney and William H. Menden their attorneys,

James A. Buchanan,

James W. McCulloch &

George Williams

and

State of Maryland,

And the said James A. Buchanan, James W. McCulloch and George Williams protesting not confessing the truth of the matters & things in said Indictment contained come and defend the force & effect when &c and say that the said Indictments in manner and form aforesaid are not sufficient in Law for the said State to have and maintain its said prosecution against them to which said Indictment they have no need nor are obliged by the Law of the lands to answer and thus they are ready to verify, wherefore for the want of a sufficient Indictment in this behalf the said James A. Buchanan, James W. McCulloch and George Williams pray judgment if the said State ought to have and maintain its said prosecution

against them, and for causes of Demer in Law in this behalf  
the said James A. Buchanan, James W. McCulloch & George Williams  
according to the form of the statute in such cases lately made and  
provided shews to the Court how those causes following that is to  
say for this that the matters and things charged in said Indict-  
ment in manner & form as therein charged do not import or  
contain any charge of crime in law and also that said Indict-  
ment is vague, contradictory, inconsistent and wholly insuff-  
icient in Law, and also that the matters and things in said  
Indictment contained in manner and form as therein charged  
are not cognizable by nor within the jurisdiction of this Court  
but are exclusively cognizable under the authority of the united  
States.

And the said Henry M. Murray District attorney of the  
sixth Judicial District of the State of Maryland, saith that  
the said Indictment and the matters therein contained are suf-  
ficient in Law for the said State to have and maintain its  
said prosecution against the said James A. Buchanan,  
James W. McCulloch and George Williams which said Indict-  
ment and the matters therein contained the said State  
is ready to verify and prove as the Court shall award,  
wherefore for want of a sufficient plea in this behalf the  
said State prays judgment and that the said James A.

Buchanan, James W. McCulloch and George Williams may be convicted of the premises in the said Indictment mentioned &c

And here upon all and singular the premises as well all and singular the matters in Law above put in judgment of the Court being seen by the Court here it appears to the Court that the said Indictment and the matters therein contained are not good and sufficient in Law for the said State to maintain the said prosecution against the said James A. Buchanan, James W. McCulloch and George Williams and to convict them of the premises in the said Indictment mentioned. wherefore it is ordered by the Court here that the said James A. Buchanan, James W. McCulloch and George Williams be dismissed there of, and be discharged by the Court here, (and that they go forth of without day &c.

Wm  
Henry Dorsey

Afterwards, that is to say, on the twenty first day of April in the year of our Lord one thousand eight hundred and twenty one, the said Henry M. Murray (District Attorney) of the sixth Judicial District of the State of Maryland, proceeded the writ of the State of Maryland for the correcting of errors of and upon the premises, commanding, that the judgments aforesaid, so as aforesaid rendered, with all things thereunto relating, be transmitted to the high Court of Appeals of the said State, the tenor of which said writ is as follows to wit:

Maryland, &c.

The State of Maryland, To the Honourable the

Judges of the sixth Judicial District, greeting.

Because in the record and procefs, and also in the rendering of Judgment, in a certain criminal prosecution by the State of Maryland against James A. Buchanan, James W. McCulloch and George Williams in Harford County Court at a County Court held before you our said Judges at March Term 1821 manifest error, as it is said, hath happened, to the great damage of the said State of Maryland, as by complaint, we have received: and we being willing that the error, if any there be, should be duly corrected, and full and speedy justice done to the said State of Maryland in this behalf command you, that if judgment be there of rendered, that then the record and procefs aforesaid, with all things therein relating, under your seals distinctly and openly, you send, and this writ, so that the same may be had before the Judges of our high Court of Appeals at the City of Annapolis on the second Monday of June next, that the record and procefs aforesaid being inspected into, we may further do therein, for correcting that error which of right, and according to the laws and customs of this State, may be done.

Witness the Honourable William Kelly, Chancellor, this sixteenth day of April eighteen hundred and twenty one.

Test

Ramsay Waters Reg. Cur. lan.



In pursuance whereof, and according to the act of assembly  
in such case made and provided, a record of the Judgment  
aforesaid, together with all things thereunto relating, together  
with said writ of error annexed, is hereby transmitted to the  
high Court of Appeals accordingly.

Test


Henry Dorsey Clk

State of Maryland, Harford County Court,

I hereby certify that the foregoing is truly transcribed  
from the records of proceedings of Harford County Court.

In Testimony whereof I have hereunto set  
my hand and affixed the seal of my office  
this eighteenth day of May in the year of our Lord  
one thousand eight hundred and twenty one.

Henry Dorsey Clk  
of Harf<sup>d</sup> Co<sup>ty</sup> Court.



MARYLAND, sc.

THE State of Maryland, To the Honourable the Judges of the *sixth*  
Judicial District, GREETING. Because in the record and process, and also in  
the rendering of judgment, in a certain ~~action brought by~~ *Criminal prosecution*  
*by the State of Maryland* against *James A. Buchanan, James W. M. Calloch*  
*and George Milburn*  
in *Harford* County Court,

at a County Court held before you our said Judges at *March* term, 1821.

manifest error, as it is said, hath happened, to the great damage of the said

*State of Maryland* as of <sup>by</sup> ~~his~~ complaint we have received:

And we being willing that the errors, if any there be, should be duly corrected,

and full and speedy justice done to the said *State of Maryland*

in this behalf, command you, that if judgment be thereof rendered, that then

the record and process aforesaid, with all things thereunto relating, under your

seals, distinctly and openly, you send, and this writ, so that the same may be

had before the Judges of our High Court of Appeals at *the City of Annapolis,*

on the *second Monday of June* next, that the record

and process aforesaid being inspected into, we may further do therein, for cor-

recting that error, which of right, and according to the laws and customs of

this state, may be done.

WITNESS the Honourable WILLIAM KILTY, Chancellor, this

*fourteenth* day of *April* eighteen

hundred and *Twenty one*.

TEST.

*Samsay Waters Reg. Burban*

State of Maryland

@

James A Buchanan  
James W McCulloch  
& George Williams

Writ of Error  
&

Record.

Filed June 11 1821

Decr. 1821.