mount of the bill to the rightful owner (he don't say, however, whether he will pay interest from the time he received the money from the Treasury) completely settles the whole question at issue; for it incontrovertibly shows that he did, in some way or another, receive value for the bill.

And here I might safely let this matter rest; but I have determined (as so much has been said and written about this affair) to bring into view every important fact, which may have a bearing upon this illicit transaction—so that the parties concerned may not have a hole or a crevice left to creep out at.

I will now prove, from the correspondence which has been published, that Mr. Harrison, the auditor of the treasury, deemed Mr Jefferson's right to draw this money from the treasury, to rest, exclusively, on the fact, that the bankers of the U States at Amsterdam had not paid the bill in question, nor charged it in their account with the United States. I say, he founded his opinion of Mr. Jefferson's right exclusively on that fact, and not upon the ground that Mr. Jefferson had not received value for that bill. I prove this thus:—In Mr. Jefferson's first letter on this subject, dated 13th May, he says, 'It was not until the 24th of June, 1804, that I received a letter from Mr. Richard Harrison, the auditor, informing me, 'that my accounts as minister to France had been adjusted and closed'—adding, the bill drawn and credited by you, under date of 21st October, 1789, for banco florins 2800, having never yet appeared in any account of the Dutch bankers, stands at your debit only as a provisional charge. If it should hereafter turn out, as I incline to think it will, that this bill has never been used or negotiated by Mr Grand you will have a just claim on the public for its value,' 'This adds Mr. J.) was the first intimation to me, that I had too hastily charged myself with that draught,' And this was nearly thirteen years after the bill had been drawn This, then, being the 'first intimation' Mr. J. had of this matter, Mr. Harrison of course, could not have learned from Mr. Jefferson, that he had parted from that bill without consideration. It consequently follows, that Mr. Harrison's opinion of Mr. Jefferson's right to receive the money from the treasury was, as I have before stated, founded exclusively on the fact of the Dutch bankers not having charged the bill in any of their accounts with the United States. This assuredly was the ground of Mr. Jefferson's opinion at that time also—for he himself tells us, that he declined accepting of the kind offer of the auditor at that time, and was willing to let the matter 'remain awhile, as there was a possibility (I use his own words) that the draught might still be presented by the holder to the bankers.' And what if it had been presented to the bankers? Why, they would either have paid it, or referred the owner to the American government for payment, where it would, as matter of course, have been paid, and there would have been an end of the matter But where, it may be asked, would Mr. Jefferson then have looked for 'reimbursement?' Just where he will look after he shall have paid to the rightful holder of the bill the amount of it He can rightfully look to no one for reimbursement, and he knows it.

Having followed Mr. Jefferson through the mazes of his subtle course, having thus followed him step by step, let us now see how this coy and cautious gentleman acts in the closing scene, when he comes to the treasury to 'finger the cash.'

In my first communication to you, fellow citizens, on this subject, I stated that the manner in which Mr. Jefferson had presented his account to the treasury, in 1809, when he drew the money, was 'calculated to deceive.' It does, we all know, very often happen, that when a man is about to commit an illegal or improper act, his "abundant caution" leads to detection. This was precisely the case with respect to Mr Jefferson, when in March, 1809, he appeared at the United States treasury, and presented for payment the following account:

The United States,

To Thomas Jefferson, Dr.

'For this sum, being the value of 2,870 guilders, brought to his debit in the settlement of his account at the treasury, per report No. 15,871, beyond the amount which appears to have been actually paid to him by the bankers of the department of state at Amsterdam, at 40 cents per guilder $1148

Now, I appeal to every plain, honest man in the world—one who has never been accustomed to the wiles and tricks of demagogues and statesmen—whether he would ever suspect there was lurking in this account, a claim on the public for the value of a bill of exchange, alleged to have been lost by the claimant, when he was an accredited agent of the United States in Europe? I am sure every man will answer—NO! —and for the best reason in the world; because the account does not say one syllable about a bill of exchange, in any shape or form. Nothing is said about the draught on Willink, Van Staphorsts and Van Hubbard, in favour of Grand & Co —or that such a draught had been lost by the 'French or English mails,' or had ever existed In short, the account just referred to, has no manner of direct reference to this 'lost bill of exchange,' or to any of the facts and circumstances connected with it. And wherefore this super 'abundant caution?'—Plainly this: to keep the true state of the case entirely out of view of those who were not in the secret! When I say this I speak advisedly. What other motive, I ask, could have induced any one to draw out such an account for such a purpose? If the claim had been just and upright, why abstain from stating fairly and above board the true grounds on which it rested? Let the master actors in this extraordinary proceeding answer this question.

But this is not all. If this claim had really and truly rested upon the ground stated in the account—simply and exclusively for a sum of money erroneously bro't to Mr. J's debit, 'beyond the amount actually paid to him by the bankers of the department of state'—why did the auditor suggest, in writing, the expediency of taking bond and security from Mr. Jefferson to indemnify the United States against any other claim for this money? The Richmond Enquirer tells us it was his 'abundant caution' made him do this. And to that very cause may be ascribed the developement of this whole affair. If, after this Mr. Jefferson shall be pronounced by impartial posterity, innocent of the charge preferred against him—be it so. In bringing this matter, with other things, to public view, my conscience tells me I have done nothing more than to discharge a solemn duty which one member of the community justly owes to the rest Whether this is a proper time to make the disclosures is another question. My own judgment tells me it is, I have lived long enough, and seen enough, to be convinced in my own mind, that the liberty of the people hangs by a thread. Blind and overweening confidence by the people in men, regardless of principle, will, sooner or later, destroy any free government. On this occasion, I again repeat, I am no party man; and those who suppose that my object is to pull down one set of men, merely for the sake of putting in their places another set, were never more mistaken. Whatever aid I can give, consistent with my other and imperative duties, in correcting public abuses, (and we all agree that there are such) shall be given freely. I have nothing to ask, to hope, or to expect from any set of men (politicians I mean) in power or out of power. Nor am I in the least actuated in my conduct by either personal or political resentment towards any men or set of men. My course has been marked out after the most mature deliberation; and I shall, with the help of God, pursue it to the end, unless I shall be arrested in it by the destruction of our present constitution.

A Native of Virginia.

Washington, June 27.

From the National Intelligencer.

THE FRENCH TREATY.

We had in our last the satisfaction to lay before our readers the Treaty lately concluded, in this city between the Secretary of State and the Minister of France; and we now propose briefly to examine its contents

The first and second articles limit the amount of the discriminating duty which shall hereafter be imposed, by the government of either country, on merchandize imported into the countries respectively in the vessels of the other country, viz twenty francs per ton of merchandize, on American goods imported into France by our vessels, and three dollars twenty-five cents per ton on French goods imported into this country by French vessels. The measure of limitation, which neither party is to exceed, being the same, the duty may be considered equal, and is at least founded on a principle of reciprocity As the produce of the United States is more bulky than that which is received from France in return for it, this duty, though of equal amount, may operate in favour of France. If any thing be yielded in this respect, it has been in a spirit of accommodation, and from a sincere desire to get rid of the difficulties which have lately embarrassed the intercourse between the two countries.

The 3d article provides that no discriminating duty shall be imposed, in either country, on goods imported in vessels of the other for transit or re exportation. This provision appears to be perfectly fair and reciprocal, and at least unexceptionable.

Article 4 defines what shall constitute in each country the ton of merchandize, establishing in that respect, likewise, a perfect equality. This article is of some importance, because it defines what was before uncertain and unequal, and obviates any difficulties which might arise, in regard to duties, from a variance in the mode of computing the ton of merchandize

Article 5 limits the tonnage duty to an equal amount in each country, viz: 5 francs per ton of the register of our vessels, and ninety-four cents on the ton of the passport of French vessels This article stands on precisely the same footing as article one and two

The 6th article provides the manner in which sailors of each nation shall be reclaimed when deserting their vessels in the ports of the other. This is to be done by an appeal to the civil power, through the Consuls or Vice Consuls; by which course the usages and laws of the government will be observed. At one period, by our treaty with France, the Consuls had themselves this power, without the intervention of the judicial authority; more recently there have been no regulations on the subject — It is in itself right that a provision like this should exist for the reclamation of seamen It preserves the commerce between the two countries; because, when the sailors are allowed to abscond from thier vessels in a foreign port without remedy, the vessels are detained at great loss, &c and sometimes are not able, on that account, to prosecute their voyage. At present, in some of the states, the state laws authorize the reclamation of seamen; in others they do not This provision places the matter, as to France, on a national footing, establishing the same rule in one port as in another; which is in every respect desirable.

The 7th article limits the duration of the treaty to two years, or until another treaty is made; reserving the right of either party to renounce it, by an express declaration. This reservation, we presume, may be considered merely nominal, as well as the contingent provision of a definitive treaty. We presume that this treaty will be ratified by both parties, and may be considered permanent. In which case the remainder of this article will go into effect, namely, that after the expiration of two years from October next, the extra duties described in the first and second articles shall be reduced on both sides one fourth each year. Thus we shall happily get rid of this bone of contention. It would seem to have been easier to have reciprocally abolished them at once; but something must be allowed to national interests, and something too to national pride. The discriminating duties have been established and strongly insisted upon: it is accomplishing much to have them reduced at once three fourths of their amount, with a provision for their gradual but total extinction.

The eighth article allows one year for the exchange of ratifications. This is to allow time for the president to submit the treaty to the senate at their ordinary session for ratification.

The first 'separate article will embrace but a small class of cases. The amount to be refunded is unimportant, and the principle of this article, as of all the others, is reciprocity.

The second 'separate article' materially changes the face of the treaty, limiting the discriminating duty to the excess of importation into each country. Thus modified, the discriminating duty itself would be inoperative, or so much so as not to be seriously felt by either party. This article does not take effect until two months after the ratification—whilst the body of the treaty is to take effect from the first day of October next.

We have gone through the provisions of the treaty, and find reason, on the whole, to congratulate our readers that the commercial differences with France have been brought to this favourable termination, after laborious and tedious discussions both in this country and in France. For some time past, the direct commerce between the countries has, in consequence of the high discriminating duties, been entirely at an end. All our trade with France has been carried on circuitously, thro' the ports of other powers, whose navigation consequently, and not ours, has derived benefit from it This treaty restores the direct trade, & thus gives employment to our own navigation, which has suffered from being deprived of it by the high discriminating duties which made it impossible for them to carry it on.

There is another light in which we regard this treaty with great pleasure. It re-establishes relations of perfect amity with France, our old friend and ally, which have been somewhat disturbed by the recent collisions of the commercial regulations of the two countries. It leaves us free of difference with any power on earth, saving the amicable controversy with Great Britain respecting the trade with her colonies; and, if we are to judge from recent indications, this controversy, too, is about to have a speedy end.

FROM CUBA.

The schooner Mechanic, arrived at Charleston on the 22d inst. in 6 days from Havanna, makes the following report:—Accounts received at Havana, state that the crew of an U S vessel, (30 men) landed on the shores of cape Antonia, with the view of intercepting the crew of a piratical vessel, which they had pursued, and were attacked by a party of the mountaineers, on horseback, and literally cut to pieces. This account was received by the mail which arrived at Havana over land, two days previous to the departure of the Mechanic, and was generally believed. It is further stated, that Piracy continued to be carried on more formidably than ever— not a vessel arriving but exhibited proofs of the violence of these marauders At Sugar Key, a French brig, with a valuable cargo of European goods, valued at $150,000, was captured by the Pirates, and the cargo taken out by lighters; and also an English brig with a valuable cargo, the mate of which was hung, and the cargo landed in same way. At Origuin and Principea, (on the south of Cuba) British and French goods, taken by the Pirates, are continually sacrificed at one fourth the value, and in great quantities.

MARYLAND GAZETTE.

Annapolis, Thursday, July 4.

JULY THE FOURTH, 1822.

This day makes up the period of 46 years since the declaration of American Independence. From that time to the present, the United States have been growing in number, strength and science, and consequently in the respect of the other nations of the earth. Their citizens, free themselves, and aware that liberty is the birthright of all men, have with open arms generously welcomed the honest stranger to their shores, whether he fled from the oppression and persecution of the old world, or fascinated with our institutions, sought a participation in their blessings Like Eden of old, our country stands distinguished for happiness from the rest of the world. A lurid cloud has at times passed by, but never continued long over her. The brightness of her prospects has never been dimmed; her steady and rapid advance to greatness never impeded. May our gratitude be equal to our privileges, and while with exulting pride we repeat the names of WASHINGTON, HANCOCK and ADAMS, and their patriotic contemporaries, let us not forget to give glory to the omniscient Providence, whose wisdom guided them, whose omnipotent arm sustained and shielded them, and whose instruments they were in performing the blessed deed which we this day commemorate.

For the Md. Gazette.

The Fourth of July.

Full often had freedom essayed to contend
With tyranny's slaves, but they conquered and bound her,
Her proud front was forced in deep thraldom to bend
And vainly exulted vile minions around her,
Then sent her to roam,
Seeking shelter and home
In deserts where storms dwell and cataracts foam;
But the sons of the bleak wild exulting drew nigh
And hallow'd the day—Their own FOURTH OF JULY.

Her fetters were severed—The sword in her right
And high in her left her own standard uprearing,
The bands of the west she collects for the fight,
And swift as the storm o'er the wide main careering,
She bursts on the foe,
His pride is laid low,
And high o'er his towers her blithe banners flow,
That strangers approaching, afar shall descry
The signal there raised on the FOURTH OF JULY.

The bright course of glory her champions pursued,
To victory she led them through toil and through danger,
With looks of defiance the death-game they viewed
And conquered in battle the merciless stranger
The arm of her might
Put the foemen to flight,
An Angel of death sway'd her sword in the fight,
And the triumph of victory rose up to the sky:
"The pledge is redeem'd of the FOURTH OF JULY."

Through joy and through danger, in peace and in war,
Columbia has grasped at the laurel of glory:
But freedom's fair smile, oh! 'tis dearer by far
Than halos of light in the wide-field of story!
'Tis she that inspires
The voices of choirs,
And glows in the sons as she glowed in their sires
When firmly they vowed, the bold contest to try
For freedom their all on the FOURTH OF JULY.

HERMES.

COURT OF APPEALS.

Wednesday, June 26.

The argument in *Slubey* vs. *Jones*, was concluded by *Winder*, for the *Appellee*, and by *Wirt* Attorney General of the United States, for the *Appellant*.

Thursday, June 27.

The argument in the case of the Rev *George Dashiell, and others*, against *The Attorney General* at the relation of *The Vestry of St. Peter's Church*, and others; was commenced by *Murray*, on the part of the *Appellants*. This was an appeal from a decree of Baltimore county court sitting as a court of Equity, directing the application of a fund which was bequeathed by James Corrie to the Rev George Dashiell and Henry Downes, in trust for "feeding, cloathing and educating the poor children belonging to the congregation of St. Peter's Protestant Episcopal church, in the city of Baltimore." The claim of the Vestry and children, in whose behalf the bill had been filed, was resisted by the surviving trustee, and the representatives of Corrie, on the ground that the bequest was void in law. The argument of this cause occupied the whole of Friday, Saturday and Monday, and the greater part of Tuesday. *Murray*, *Winder* and *Taney* counsel for the *Appellants*: *Harper* and *Johnson* for the *Appellees*. On the conclusion of this argument, on Tuesday, *Murray* opened on the part of the *Appellants* the case of the Rev *George Dashiell, and others*, against the *Attorney-General*, at the *relation of the Trustees of Hillsborough School, in Caroline county*. This case also arises under the same will of James Corrie, a clause of which bequeaths a certain fund to the Rev George Dashiell and Henry Downes for "feeding, cloathing and educating the poor children of Caroline county, in the state of Maryland, who attend the poor or charity school established at Hillsborough, in said county," the trustees of which school, were to receive from Dashiell and Downes the annual proceeds of the fund bequeathed, and appropriate them to the purpose directed by the will. It is contended by the Appellants that this bequest also is void.

THE OPINION OF THE COURT OF APPEALS

Upon the question, whether a conspiracy to cheat and defraud a bank, by the officers thereof, is an offence at common law, and punishable in Maryland?

Court of Appeals, Dec. Term, 1821.

THE STATE vs BUCHANAN, *et. al.*

ERROR to *Harford* County Court.

The indictment contains two counts: The *first* charges the defendants with an executed *conspiracy*, falsely, fraudulently and unlawfully, by wrongful and indirect means, to cheat, defraud, and impoverish *The President, Directors and Company, of the Bank of the United States*; and the *second* charges them with a *conspiracy* only, falsely, fraudulently and unlawfully, by wrongful and indirect means, to cheat, defraud and impoverish, *The President, Directors and Company, of the Bank of the United States*. The defendants demurred to the indictment; *first*, on the ground that a state court has no jurisdiction, but that the matters alleged in the indictment are cognizable, (if at all,) in the courts of the *United States*; and *secondly*, that the facts charged do not amount to an indictable offence. The County Court, (*Hanson* and *Ward*, A. J.) ruled the demurrer good, and discharged the defendants. The present writ of error was brought on the part of the state.

The case was argued at the present term, before CHASE Ch. J. BUCHANAN, EARLE, and MARTIN, J. by

Murray, (District Attorney for the sixth judicial district, by substitution of the Assistant Attorney-General, with the approbation of the court,) assisted by *Wirt* (Attorney General of the *United States*,) *Harper* and *Mitchell*, on the part of the state; and by

Pinkney, *Winder* and *Raymond*, for the defendants in error.

The opinion of the Court of Appeals was delivered by

BUCHANAN, J. This case was brought up by a writ of error directed to the judges of *Harford* County Court; and it has been strongly urged, that a writ of error will not lie at the instance of the state, in a criminal prosecution, and therefore that the writ in this case was improvidently sued out, and ought to be quashed. But it is said in 2 *Hale's P. C.* 247, the authority of which it is difficult to question, and indeed we require none higher, "that if A be indicted of murder, or other felony, and plead *non cul*, and a special verdict found, and the court do erroneously adjudge it to be no felony; yet so long as that judgment stands unreversed by writ of error, if the prisoner be indicted *de novo*, he may plead *autrefoits acquit*, and shall be discharged; but if the judgment be reversed, the party may be indicted *de novo*." And this is not a loose *dictum*, but it is laid down and repeated as text law; for in page 248 it is stated, that "in the case of the special verdict above, where an erroneous judgment of acquittal is given, yet it is conclusive to the King till it be reversed by error." So in page 394, speaking of the ancient form of a judgment of acquittal, he says "and if the entry were such, I do not think the prisoner could ever be arraigned again, notwithstanding the insufficiency of the indictment till that judgment of acquittal was reversed." And again in page 39 of the same book, "and if in Peter's case the judgment had been so entered, (that is, *quod eat inde quietus*,) he could never again have been indicted for the same offence, notwithstanding the defect of the indictment till that judgment reversed by writ of error." Hence it is manifest that in the opinion of Lord *Hale*, the King might have a writ of error in a criminal case; since it would be absurd to say that a man who had obtained a judgment of acquittal for a defect in the indictment, or on special verdict, could never again be indicted for the same offence, until that judgment was reversed by writ of error, if a writ of error would not lie. Fortified by such authority alone, in the absence of any legislative provision in this state on the subject, we think we might safely say, without further inquiry, that the writ of error in this case was properly sued out. But instances are not wanting of writs of error being prosecuted by this state, in criminal cases; as in *The State vs. Messersmith & Askew*, *The State vs. Forney*, *The State vs. Brown*, and *The State vs. Durham*, in the court of oyer and terminer &c. for Baltimore county. In each of those cases there was a demurrer to the indictment, and judgment on the demurrer for the defendant, in the court below. They were all taken to the late general court on writs of error by the state, *Luther Martin*, attorney general; and in each case the judgment was reversed. And there is no sufficient reason why the state should not be entitled to a writ of error in a criminal case. It is perhaps a right that should be seldom exercised, and never for the purpose of oppression or without necessity; which can rarely, and it is supposed would never happen, and would not be tolerated by public feeling. But as the state has no interest in the punishment of an offender, except for the purpose of general justice connected with the public welfare, no such abuse is to be apprehended; and as the power of revision is calculated to produce a uniformity of decision, it is right and proper that the writ should lie for the state, in the same proportion as it is essential to the due administration of justice, that the criminal law of the land should be certain and known; as well for the government of courts and information to the people, as for a guide to juries; who, tho' (by the laws and practice of the state) they have a right to judge both of the law and of the fact, in criminal prosecutions, should, and usually do, respect the opinions and advice of judges, on questions of law, and would seldom be found to put themselves in opposition, to the decisions of the supreme judicial tribunal of the state.

It has also been contended that the return of the writ of error in this case, supposing the writ to have been properly sued out, is defective in this, that it is not under the hand and seal of the chief judge, but that there is only a transcript of the record sent up, under the hand of the clerk and the seal of the court, with the writ of error annexed. But there is nothing in the objection. By the *fifth* section of the act of 1713, ch. 4, "for regulating writs of error, and granting appeals from and to the courts of common law within this province," it is enacted, "that the method and rule of the prosecution of appeals and writs of error, shall for the future be in manner and form as is herein after mentioned and expressed; that is to say, the party appealing or suing out such writ of error as aforesaid, shall procure a transcript of the full proceedings of the said court, from whence such appeals shall be made, or against whose judgment the writ of error shall be brought as aforesaid, under the hand of the clerk of the said court and seal thereof, and shall cause the same to be transmitted to the court before whom such appeal or writ of error is or ought to be heard, tried and determined," &c. The preamble sets out that "forasmuch as the liberty of appeals and writs of error from the judgment of the provincial and county courts of this province, is found to be of great use and benefit to the good of the people thereof;" and the *second* section provides under what circumstances alone, an appeal or writ of error shall operate as a *supersedeas*. The act is silent on the subject of the return of the writ of error, and only directs that the transcript of the proceedings shall be under the hand of the clerk and seal of the court, without dispensing with the signature of the judge to the return of the writ. And if it should be admitted that it originated in error, it is now too late to shake a practice so long settled. It may perhaps be doubted whether that act of the general assembly ought not to be understood as being applicable to writs of error in civil causes only; and it has been urged, that no practice growing out of it in relation to such cases, can be brought in aid of a defective return in a criminal case. But whatever may have been the construction originally given to it in that particular, whether it was held to extend as well to criminal as to civil cases, or whether the returning of writs of error in the same manner in criminal as in civil cases, had its birth in the circumstance, that the mandate of the writ being the same in each, no good reason could be perceived why the manner of the return should be different; or from whatever other cause it may have arisen, the practice is found on examination to have been the same. That was the form of the return in the cases of *The State vs. Messersmith & Askew*,—*The State vs. Forney*,—*The State vs. Brown*,—and *The State vs. Durham*; the cases before alluded to for a different purpose. The same return was made in *Burk's* case, an indictment for a Rape, which was tried before me in *Washington* county court in the year 1809, and was brought up by writ of error to this court, by the present attorney general, (*Luther Martin*,) who defended him with great zeal and ability in the court below, and it is presumed looked well into the subject. And so in every criminal case removed by writ of error, that is to be found among the records of the late general court, of which there are many. The return therefore in this case has the sanction of the same authority on which a similar return in a civil case would rest. The authority of a settled practice for more than an hundred years, with which we are content without seeking to support it on any other; nor it is pretended that such a return would be insufficient in a civil case; and there is no sensible difference between a criminal and a civil case in that respect, or any sound reason why the return should not be the same in one as in the other. But there is no uniform rule for the return of writs of error; and if the object of the writ, which is that a true and perfect transcript of the proceedings shall be brought up, is substantially gratified, it is all, that courts do or need look to. If a writ of error be brought in parliament on a judgment in the court of King's Bench, the chief justice goes in person to the House of Lords, with the record itself, and a transcript, which is examined and left there, and then the record is brought back again into the King's Bench. 2 *Tidd's Practice*, 1092. In the court of common pleas the practice is different. There on a writ of error returnable in the King's Bench, it is usual for the chief justice to sign the return. *Ibid (note.)* But that is not absolutely necessary, for the court of King's Bench will not stay the proceedings for want of his signature, and tho' the writ of error requires the record to be sent *sub sigillo*, yet this is never practised. 2 *Strange*, 1063. And if the *seal* can be dispensed with, why may not the signature also? since the omission of either, is equally a departure from the mandate of the writ, and both are dispensed with in the case of a writ of error returnable from the King's Bench in the House of Lords. Besides, in *England*, a writ of error must be directed to him, who has the custody of the record wherein any judgment is given; and for that reason it is, that a writ of error brought on a judgment in the court of common pleas, for instance, is always directed to the chief justice of that court, who has the custody of the record. But in this state, tho' the form of the writ as used in *England*, and introduced here at a very early period, is still retained, yet the clerk of the court in which the judgment is rendered, has a much greater control over the record than in *England*, and hence probably *arose* the practice, that appears to have prevailed here at least from the year 1715, for the clerk to send up a "full transcript of the proceedings under his hand only, and the seal of the court, with the writ of error annexed, which sufficiently gratifies the object of the writ; as much so as the