

Know all men by these presents that I John
of the Sheriff underwritten hereby represent to your John
Francis one of the Justices of the Bench of the King's Bench
whose name is that where as the said Wm. Kaler was
upon the 3^d day of June current in a case where
Tolbooth of the said upon a warrant granted by your
Proceeding upon a Decree or Sentence of the Sheriff
Subt of Orkney of the same date of the action at
the suit of John Gellus Factor for Wm. Kaler of Shalby
Up Advocate ag^t the said Wm. Kaler before the Sheriff Court
of Orkney of the said 3^d day of June last the said
will guilty of gross contempt of the Court & to fine &
emancipate him in the sum of three hundred pounds to the fiscal
of the Court & also to find him liable to the said fine in the sum of
£100 in case of expense besides such damages as he
should incur & also to grant warrant to the officers of the
said Court to take the said Wm. Kaler to the Tolbooth of the said
to remain there until such proper charges & expenses until the
8th day of June next & thereafter until the payment of the said fine &
expenses & also until he should find good & sufficient caution
with the Sheriff Court to the effect that he should not trouble
or molest the said John Gellus in the peaceable burning of the Tany
on the shores of the Town of Shalby or waye than by due
course of law for the sum of Twelve one in the date of
the Bonds of & required the Mayor of the said & the keeper of
the Tolbooth to receive & detain the said Wm. Kaler
accordingly and upon the said 3^d day of June granted the warrant
of commitment above recited to John Donald Factor to
incarcerate the said Wm. Kaler in the Tolbooth of the said
to remain upon his own proper charges & expenses until
the 8th day of June next & thereafter until he should be liberated
in due course of law That in consequence of which the
said Wm. Kaler had been committed to the said Tolbooth where
he was detained in long imprisonment upon his own
expence to his great hurt loss & prejudice the he
solemnly declares that he is condemned in his conscience
by all the rules of right reason
that the said Decree is unjust & unparcedented & unreason
founded upon law or equity & is contrary to the
any good foundation of that he is to or ought to be compelled
to pay the said sum contained in the said Decree & sentence
for his own imprisonment by the mere force & rigour
of imprisonment and upon a process for the said
hereby not only ^{in law} contribute to the said
of the said are under the hand of the Sheriff of the said

