Exceptions be in all things affirmed, and stand in full force and effect the said causes for error above assigned and alleged in anywise notwithstanding, and because it also appears to the Court here that in the record and proceedings of the rendition of the Judgment aforesaid as stated in the first and third Bills of Exceptions it is manifestly erred, Therefore it is considered by the Court here, that the Judgment aforesaid in form aforesaid given, as stated in the said first and third Bills of Exceptions, be revoked, annulled and held entirely as void, and that the said Rezin Hammond be restored to all things which by reason of the Judgment aforesaid he hath lost, and because it clearly appears to the Court here that Justice, and the merits of this case require that there should be a new trial of the issue aforesaid. Whereupon the Court here pursuant to the directions of the act of assembly in such case made and provided, order and direct a remission of the record and proceedings aforesaid to the clerk of the General Court held for the Western Shore with the writ of the State of Maryland of Procedendo to the Judges of the General Court, directing them to proceed in the action aforesaid, and to a new trial thereof, in the same manner, as if no trial had taken place, or any appeal had been prosecuted. The Record and proceedings aforesaid with the said writ of procedendo is therefore remitted to the clerk of the General Court for the western shore accordingly.

Test Burton Wheatcroft Clerk