effect, the said causes for error above assigned and alleged in any wise 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 bill of Exception 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 Bill of Exception be revoked, annulled and held entirely as Void, and that the said Christian Singery 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.

Thereupon 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 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

Key 12. 2 M. } Zenas Hughes and Isaac Hughes

A. N. H. H. } David Wests
J. F. M. } Lessee

Be it remembered that on the second monday of June being the tenth day of the same month in the year of our Lord one thousand eight hundred, The Honorable the Judges of the General Court in pursuance of the act of assembly in such case made and provided transmit to the honorable the Judges of the High court of Appeals the Record and proceedings on an action of Geatment brought by the David Wests Lessee the tenor of which is in form following. to wit.

The State of Maryland. ss.

At a General court of the western shore of the said state, one of the United states of America, begun and held at the city of Annapolis on the second tuesday of may being the thirteenth day of the same month, in the year of our Lord one thousand eight hundred, and in the twenty fourth year of the Independence of the said United States of America. Present

The Honorable | Jeremiah Townley Chase Esquire Chief Judge
Gabriel Duvall and John Done | Esquires Judges.

John Welch Esquire Sheriff John Green clerk.

In the Record of proceedings of the same Court, among others, is the following, to wit.

David Wests Lessee against Zenas Hughes and Isaac Hughes

Be it remembered, that heretofore, to wit, on the twenty first day of January in the year of our Lord one thousand seven hundred and ninety nine, Zenas Hughes and Isaac Hughes by John Johnson their attorney sued out of the General court the writ of the state of Maryland of Certiorari, directed to the Chief Justice, associate Justices and Clerk of Harford county court, in the words and figures following to wit. The State of Maryland. ss. To the Chief Justice, associate Justices and Clerk of Harford county court. greeting: Whereas lately in Harford county court Zenas and Isaac Hughes were attached to answer unto David Wests Lessee in a plea of trespass and Geatment and so forth which said plea is still depending before you, in the said county court, as it is said, undetermined: and the General court being desirous, for certain reasons, that the record and proceedings in the plea aforesaid, should by you be certified to them, you are therefore hereby commanded to send, under your seals, the record of the proceedings aforesaid in the plea aforesaid with all things touching the same, unto the said General court, to be held at the city of Annapolis the second tuesday of may next, plainly and distinctly, and in as full and ample manner, as it now remains before you, together with this writ, so that the said General court may be able thereon to proceed, and to do what shall appear to them of right ought to be done, Witness the honorable