by Nicholas Brice their attorney as the said Walter Conner by John Purviance his attorney, And because the Court of Appeals here are not advised to give their Judgment of. and upon the premises, day therefore is further given to the parties aforesaid (by consent of the said parties and their attornies aforesaid) before the Court here until the third monday in December next to hear their Judgment of. and upon the premises because the Court of Appeals now here thereof. are not advised &c.

At which said third monday in December being the fifteenth day of the said Month in the year of our Lord one thousand eight hundred and six Come again into the Court of Appeals here as well the said John and Margaret Hay by their attorney aforesaid as the said Walter Conner by John Purviance and Samuel Chase Junior his attornies; But because the Court of Appeals here are not advised to give their Judgment of. and upon the premises day therefore is further given to the parties aforesaid (by consent of the said parties and their attornies aforesaid) before the Court of Appeals here until the third monday in June next to hear their Judgment of. and upon the premises because the Court now here thereof. are not yet advised &c.

At which said third monday in June being the fifteenth day of the said month in the year of our Lord one thousand eight hundred and seven Come again into the Court of Appeals here the parties aforesaid by their attornies last aforesaid; But because the Court here are not advised to give their Judgment of. and upon the premises day therefore is further given to the parties aforesaid (by consent of the said parties and their attornies aforesaid) before the Court here until the third monday of December next to hear their Judgment of. and upon the premises because the Court now here thereof as yet are not advised &c.

At which said third monday of December being the twenty first day of the same month in the year of our Lord one thousand eight hundred and seven, Come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid. But because the Court here are not yet advised to give their Judgment of. and upon the premises day therefore is further given to the parties aforesaid (by consent of the said parties and their attornies aforesaid) before the Court here until the third monday of June next to hear their Judgment of. and upon the premises because the Court now here thereof as yet are not advised &c.

At which said third monday of June being the twentieth day of the said month in the year of our Lord one thousand eight hundred and eight Come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid; But because the Court here are not advised to give their Judgment of and upon the

premises

premises day therefore is further given to the parties aforesaid (by consent of the said parties and their attornies aforesaid) before the Court here until the third monday of December next to hear their Judgment of. and upon the premises because the Court now here thereof as yet are not advised &c.

And now at this day to wit the said third monday in December being the nineteenth day of the said month in the year of our Lord one thousand eight hundred and eight Come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid. Whereupon all and singular the premises being by the Court here seen heard and fully understood and mature deliberation thereupon had for that it appears to the Court here that in the record of proceedings of the rendition of the Judgment aforesaid as to the opinion of the said County Court and their direction to the Jury as stated in the bill of Exceptions in the Record aforesaid mentioned it is manifestly erred.

Therefore it is considered by the Court here that the Judgment aforesaid for those errors and others in the record of proceedings aforesaid being, be revoked annulled and held entirely as void, and that the said John and Margaret Hay be restored to all things which by reason of the Judgment aforesaid they have lost. It is also considered by the Court here that the said John and Margaret Hay recover against the said Walter Conner the sum of thirty seven dollars and fifty one cents and one third of a cent by the Court here adjudged unto the said John and Margaret Hay on their appeal for their cost and charges by them laid out and expended about their prosecution of the appeal aforesaid and that the said John and Margaret Hay have thereof Execution &c.

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 therefore the Court here according to the directions of the act of Assembly in such Case made and provided order and direct a remission of the record of proceedings aforesaid to the Clerk of the County Court of Baltimore with the writ of the state of Maryland of Procedendo to the said County 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 of proceedings aforesaid with the said Writ of Procedendo are therefore remitted to the Clerk of the said County Court of Baltimore according to law and so forth.

Test.

Thomas Harris Junior Clk.