Judgment of and upon the premises, for that the Court now here as yet are not thereof advised, and so forth.

At which said third Monday in 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 as well the said James Williams by Arthur Shaaff and Roger Brooke Taney his attornies, as the said William Hodgson by his attornies aforesaid: But because the Court of appeals here are not yet advised what Judgment to give of and upon the premises, a day is therefore further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid before the Court of appeals here until the third Monday in December next to hear their Judgment of and upon the premises, for that the Court now here as yet are not thereof advised, &c.

At which 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 as well the said James Williams Williams by Arthur Shaaff and Alexander Contee Magruder his attornies, as the said William Hodgson by his attornies aforesaid: But because the Court of appeals here are not yet advised what Judgment to give of and upon the premises, a day is therefore further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid, before the Court of appeals here until the third Monday in June next to hear the Judgment of the Court of appeals here of and upon the premises, for that the Court now here as yet are not thereof advised, &c.

At which said third Monday in June being the nineteenth day of the said Month in the year of our Lord one thousand eight hundred and nine, come again into the Court of appeals here the parties aforesaid by their attornies aforesaid: But because the Court of appeals here are not yet advised what Judgment to give of and upon the premises, a day is therefore further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid, before the Court of appeals here until the third Monday in December next to hear their Judgment of and upon the premises, for that the Court now here as yet are not thereof advised, and so forth.

And now at this day, to wit, the third Monday in December being the eighteenth day of the said Month in the year of our Lord one thousand eight hundred and nine, come again into

into the Court of appeals here the parties aforesaid by their attornies aforesaid: Whereupon as well the Record and whole proceedings of the Court of Chancery and the Decree thereupon given, as the causes and matters aforesaid by the said James Williams above for error assigned, being seen, and by the Court of appeals here diligently examined into and fully understood and mature deliberation being thereupon had, for that it appears to the Court of appeals here that the Decree aforesaid, so as aforesaid given and rendered in the Court of Chancery is not according to Equity and good conscience, and therefore it is manifestly erred; Therefore it is adjudged, ordered and decreed by the Court of appeals here that the Decree of the Court of Chancery given and rendered in form aforesaid be revoked, annulled and held entirely as void. And it is further adjudged, ordered and decreed by the Court of appeals here, that the said James Williams recover against the said William Hodgson the sum of ninety four dollars and one cent and one third of a cent, adjudged unto him by the Court of appeals here for his costs and charges by him laid out, expended and incurred about his defence in the said Court of Chancery and prosecution of his said appeal before the Court of appeals here of and upon the premises aforesaid &c. and that he the said James Williams have thereof execution &c.

Memorandum. The Decree of the Court of appeals of Reversal on this appeal, was rendered and signed on the fifth day of January in the year of our Lord one thousand eight hundred and ten by the Honourable Jeremiah Townley Chase, Esquire, Chief Judge, and the Honourable John Mackall Gantt and Richard Tilghman Earle, Esquires Judges.

(Test Th. Harris, Jun. Clk.)

Elisha Berry
vs
John Waring

Be it remembered that heretofore to wit on the third monday in June being the sixteenth day of the said month in the year of our Lord one thousand eight hundred and six the chief judge and associate judges of the first judicial District in pursuance of an act of Assembly in such case made and provided transmitted to the court of appeals here the record of proceedings of a plea which was depending before them in the county Court held in and for Prince Georges County between Elisha Berry Plaintiff and John Waring Defendant and wherein the said county court gave judgment for the said John Waring against the said Elisha Berry and from which judgment