parties, there then to hear the judgment of the Court of Appeals here of and upon the said premises, and so forth.

At which said second Monday in June being the thirteenth day of the said month, in the year of our Lord one thousand eight hundred and thirty one came 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 therefore is further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid, to come before the Court of Appeals here, on the first Monday in December 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 and so forth.

And now at this day to wit, the said first Monday in December being the fifth day of the said month, in the year of our Lord one thousand eight hundred and thirty one, came again into the Court of Appeals here the parties aforesaid, by their attornies aforesaid. Whereupon as well the record and proceedings aforesaid, and the decree given in form aforesaid, as the matters aforesaid, by the said Christopher Todd above for and assigned, being seen, and by the Court of Appeals here fully understood, and mature deliberation thereupon had: for that it appears to the Court of Appeals here that there is error in the record of proceedings aforesaid and in the giving of the decree aforesaid. Therefore the Court of Appeals here proceeded to pass such a decree as the Court of Chancery ought to have passed.

This cause has been argued by counsel, and considered by the Court of Appeals and it appearing to this Court that the decree of the Chancellor is erroneous and ought to be reversed. It is therefore this 3d day of January 1832 adjudged ordered and decreed by the Court of Appeals that the decree of the Chancellor passed in the said cause, be and the same is hereby reversed with costs in this Court and in the Court of Chancery.

And it is further adjudged and decreed that the bill filed by the complainant, be and the same is hereby dismissed.

Test

John Johnson Clk