June Term 1855

continued until the second Monday in January to wit in the year eighteen hundred and forty seven, At which said second Monday of January to wit, in the year eighteen hundred and forty seven come again into the County Court here the parties aforesaid by their attorneys aforesaid and thereupon as before further process of and upon the premises between the parties aforesaid with the consent of the said parties by their attorneys and by order of the Court hereon is further continued until the first day of May then next - At which said first day of May to wit in the year last aforesaid come again into the County Court here the parties aforesaid by their attorneys aforesaid - And thereupon as before further process of and upon the premises between the parties aforesaid with the consent of the said parties by their attorneys and by order of the Court here thereon is further continued until until the second Monday in September then next - At which said second Monday in September to wit in the year last aforesaid come again into the County Court here the parties aforesaid by their attorneys aforesaid and thereupon as before further process of and upon the premises between the parties aforesaid with the consent of the said parties by their attorneys and by order of the Court hereon is further continued until the second Monday in January then next - 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June Term 1855

3d - Deed from Margaret Moore to Peters the Testator of plaintiffs dated 18th February 1837, and recorded J.K. No. 267 folio 368 &c.

4th - Deed from Plumb to Hintze defendant dated the 29th day of April 1837 and recorded J.K. No. 269 folio 120 - All which deeds are agreed to be considered as embodied in this statement (See agreement at the foot of the Record).

It is admitted that Henry Peters the plaintiffs Testator died in February 1838, and that his will was proved on the 28th of that month - That Letters Testamentary on his estate were granted to plaintiffs on 19th March 1838 and that the plaintiffs have died since the institution of the suit - and letters of administration de bonis non with the Will annexed on the estate of Henry Peters have been granted to Jane Thomas and that no rent was ever paid by the Defendant to plaintiffs and that on the 15th December Plumb paid the rent which had accrued on 1st March 1838 to plaintiffs who gave him a receipt therefor -

It is also admitted that the Defendant collected the following Rents from the tenants of the premises,

1843 Sept.	1	$7	"	Nov.	1st	$7	"	Jan.	1st	$7	"	April	1st	$7	"	Sept.	25th $38
" Oct.	1	7	"	Dec.	1st	7	"	March	1st	7	"	May	1st	7	"	Nov.	2d 14

The defendant then gave in evidence the deed from Jno. Hintze to McElderry dated 8th November 1844 and recorded J.K. No. 346 folio 339 &c. which is admitted (See agreement at the foot of the Record) - The Court have the privilege of drawing inferences of fact as a Jury might - If the Court shall be of opinion for the plaintiffs Judgment to be entered for such sum as they shall say is due by law if the contrary Judgment for the defendant either parties to have the privilege of appeal -

J. Glenn, for pltff - J. Yates Walsh for Deft.

Whereupon for that the Court here are not advised to give their Judgment of and upon the premises aforesaid, day therefore is further given to the said parties to hear thereof their Judgment until the second Monday in January then next &c. At which said second Monday in January to wit in the year eighteen hundred and fifty come again into the County Court here the parties aforesaid by their attorneys aforesaid And thereupon as before for that the Court here are not yet advised what Judgment to give of and upon the premises day is therefore further given to the said parties to hear thereof their judgment until the first day of May then next. At which said first day in May to wit in the year last aforesaid come again into the County Court here the parties parties aforesaid by their attorneys aforesaid, and thereupon as before for that the Court here are not yet advised what judgment to give of and upon the premises day is therefore further given to the said parties to hear thereof their Judgment until the second Monday of September then next. At which said second Monday in September to wit in the year last aforesaid come again into the County Court here the parties aforesaid by their attorneys aforesaid, and thereupon as before for that the Court here are not yet advised what judgment to give of and upon the premises aforesaid day therefore is further given to the said parties to hear thereof their Judgment until the second Monday in January then next - At which said second Monday in January in the year eighteen hundred and fifty one come again into the County Court here the parties aforesaid by their attorneys aforesaid and thereupon as before for that the Court here are not yet advised what Judgment to give of and upon the premises aforesaid day therefore is further given to the said parties to hear thereof their Judgment until the first day in May then next. At which said first day in May to wit in the year last aforesaid come again into the County Court here the parties aforesaid by their attorneys aforesaid, and thereupon as before for that the Court here are not yet advised what Judgment to give of and upon the premises aforesaid day therefore is further given to the said parties to hear thereof their Judgment