upon the the premises aforesaid, between the parties aforesaid, as by virtue of an Act of Assembly in such case made and provided, further continued before the Court of Appeals here, until the First Monday in June next; the same day is given to the said parties there, then to hear the judgment of the Court of Appeals here, of and upon the said premises and so forth. And now at this day to wit: the said First Monday in June being the sixth day of the said month, in the year of our Lord One thousand, eight hundred and fifty nine come again into the Court of Appeals here, the parties aforesaid by their attorneys aforesaid. Whereupon as well the record of proceedings aforesaid, and the judgment given in form aforesaid as the matters aforesaid, by the said Elisha Warford and others above for error 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 no error in the record of proceedings aforesaid, and also in the giving of the judgment aforesaid. Therefore it is considered by the Court of Appeals here, that the judgment aforesaid given in form aforesaid for those errors and others in the record and proceedings aforesaid, be revoked, annulled, and held entirely as void and that the said Elisha Warford and others be restored to all things which by reason of the judgment aforesaid they have 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, according 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 said Superior Court of Baltimore City, with the writ of the State of Maryland of Procedendo to the said Superior 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. It is also considered by the Court here that the said Elisha Warford and others recover against the said Richard Coburn the sum of Seven Hundred and sixty three dollars & ninety cents, by the Court here, adjudged unto the said Elisha Warford and others, for their Cost and charges by them laid out and expended about their prosecution of the Appeal aforesaid and that the said Elisha Warford and others have thereof Execution &c; the record and proceedings aforesaid, with the said Writ of Procedendo are therefore remitted to the Clerk of the said Superior Court of Baltimore City accordingly &c.

Wm. A. Spencer Clk.

State of Maryland Sct.

I William A. Spencer Clerk of the Court of Appeals of Maryland do hereby certify that the foregoing is a true Copy taken from the record and proceedings of the Court of Appeals aforesaid.

In testimony whereof I have hereunto set my hand as Clerk and affixed the seal of the said Court of Appeals, this Fifteenth day of August A. D. 1859

Wm. A. Spencer Clerk
Court of Appeals of Maryland.

And thereupon come into the Superior Court of Baltimore City here as well the said John Doe Lessee as aforesaid by his attorneys aforesaid as the said Richard Coburn otherwise called Richard Coburn Crawford by their attorneys aforesaid and thereupon further process of and upon the premises between the parties aforesaid with the consent of the said parties by their attorneys aforesaid and by order of the Court here thereon is further continued until the second Monday in September then next; and now at this day to wit the said second Monday in September in the year last aforesaid come into the said Court here the parties aforesaid by their Attorneys aforesaid, and file in said cause the following Agreements marked **A B & C** to wit.

Doe on the demise of Elisha Warford et al vs. Richard Coburn	In the Superior Court of Baltimore City

It is agreed in this cause that the testimony of Joseph D. Regger Eliza Dunlap, Daniel D. Dudley & John Berry given on the trial of the issue on the Will of Rachel Coburn in the Circuit Court of Baltimore County between Thompson Pegg & al Plaintiffs & Richard C. Warford Defendant & reported in the Sun & American Newspaper of Balto. City may be read in evidence by the Plaintiff or Defendant on the trial of the above cause from said Newspaper or either of them the said Dudley, Regger & Berry being deceased & Eliza Dunlap being out of the state of Maryland, And it is further agreed that the affidavit of Asher Williamson filed in the Chancery proceedings in the matter of Rachel Coburn a lunatic or a certified copy thereof may be read in evidence by the Plaintiff or Defendant, on the trial of the above case the said Williamson being out of the State of Maryland. It is further admitted that Miss Rachel Coburn died seized of the property which this suit is brought to recover, Except the lots on the North side of Balto. Street described as Nos 6. 7. & in the declaration in this case, which Defendant alleges and claims to be leasehold property & it is hereby admitted that said lots have been returned to the Orphans Court of Baltimore City in the inventory of the Estate of Rachel Coburn by the Executor Richard Coburn, the same person as Defendant in this case as personal property and have been distributed as such by the executor of said Estate under the order of said Court by taking the said property to himself as devisee & legatee. And except part of lot designated as No 13 on said declaration & described as situated at the S. W. Corner of Balto and South Streets of which the following portion is leasehold property to wit: Beg. for the same on the S side of Baltimore street, 19 ft Westerly from the S.W. corner of Balto & South Sts. running thence Westerly bounding on Balto St 31 ft. 6 in. thence southerly parallel with South Street fourteen (14) feet thence Easterly parallel with Balto St. 26 ft, & thence Northerly parallel with South street 36 ft to the place of beginning

And except part as lot designated as No 16 described as situated on the South side of Balto. St. of which the following portion is leasehold property to wit. Beg. for the same 66 ft. South from the south side of Balto. St. on a line drawn parallel with Frederick Street & distant