HAMPSHIRE GAZETTE.

W E D N E S D A Y, DECEMBER 9, 1789.

Haw I dote on that dear face,
(The youthful Strephon criss)
Where ev'ry charm, and ev'ry grace,
Dennaid a thouland fight!
Why thould thy fmiles fuch jors impart,
Thy frowns tech anguilt give?
O fmile, and eafeny morted heart,
For on thy fmiles—I live.

To Celia thus the thepherd fpece,

When thus the symph replies;

"Tis sill a farce, 'tis sill a joke,
I tend it in your eyes.

Cesfe, Strephon, cesfe your flattering wiles,
And pritchee be at quies;
My gentle looks and dimpled fmiles

Would prove but—fleuder dies.

From a late Landon Paper.
Or GENERAL WASHINGTON. REAT without point, without ambition brave,
Proud, not to conquer fellow men, but fave:
Friend to the weak, a foe to none, but those Friend to the weak, a lot to none, but thois Wholplan their greatness on their brethen's woes. Aw'd by no titles—undefil'd by last—
Free without Fattion, obtlinately jul;
'Boo wife to learn from Machia we's falle (chool,
That truth and persidy by turns should rule; Warm'd by Religion's facted genuine ray,
That points to future bills th' unerring way;
Yet ne'er controul'd by superstition's laws,
That worst of syrants in the noblest cause.

EXTRACT.

OF PATING DEBTS.—Owe as man any thing.
Economy is a matter of experience—the converfation and advice of a friend my be highly advantageous to the young, who need instruction. The principle of justice is unfolded, and the practice of it eftabilished by the communications and approbation of
one in whom they could—Next to the relimony of
one in whom they could—Next to the relimony of a good confeience in our favour, the tedimony of a friend is the best defence against unjustifiable compliances with pensicious costoms.—The secrecy which sometimes with regard to their affairs, declining allcommanization on the follying, often leads to differed which timely counted might have prevented.

The confession of the supplied of the parties which a supplied with the supplied of the property of the supplied of the parties. od conference in our favour the tellimony of

which timely counfel might have prevented.

There are falle, but plantible maxims, which a friend might numate—there are propendities feemingly generous, which he might check—there are counfequences which he might foreice, and in the fixed of meekhels foreict; there is a fense of judice at the bottom of the heart, which he might route, and provoke to break through every oblidele—"Faithful (it this feefe) are the wounds of a friend"—Happy is the young man who is favoured with a friend, whose penetration may prove a lamp to his feet, and a guide to his path.—

There is a magnanimity of foreit in airs.

s path.— There is a magnanimity of spirit in giving and re-iving advice which sew possess; but like other virmes may be acquired.

Account of the dexterity of Mr. William Kingflon, who was born without arms or hands.

[Extrated from J. Velten's letter to the Rev. Mr. Wefley, dated Olibert 14, 1788.

In order to give the publick a fatisfactory account of William Kingflon, I went to Dichest 14fl Monday, and the next morning got hids to breakfast with me, at Mr. Goodfellow's, and had occular proofs of his dexterior.

his dexterity.

He highly entertained us at breakfaft, by putting his half naked foot upon the table as he fat, and carrying his ten and toat between his great and fecond toe to his mouth, with as much facility as if his foot had been a hand, and his toes fingers. I put half of a fixed of paper upon the floor, with a pen and inkhorn. He three off his hoes as he fat, took the inkhorn in the bees of his left foot, and held the pen in those of his right; he then wrote three lines as well as most or-linear warries, and as fewilty. He wires out all his his right; he then wrote three lines as well as mod ordinary writers, and as fwiftly. He writes out all his
bills and other accounts. He then thewed me how he
third and other accounts. He then thewed me how he
thaves himfelf with the razor in his toes; and he can
count his own hair. He can dreft and undreft himfelf, except battoning his clothes. He feeds himfelf,
and can bring both his meat and broth to his mouth,
by holding the fork or fpoon in his toes. He cleans
his own fluor; can clean the thirty, light the fire, and
do almod every other domefic buffield, as well as any
ether man. He can make hencoops. He is a farmer
hy occupation. He can milk his conva with his toe,
and cut his own hay, bind it up in bundles, and carry
is about the field for his cattle. Laft winter he had
eight helifers confantly to fodden. This laft frammer
he made his own hay ricks. He can do all the buffihelig of the hay-field (except mowing) as faft and as neisof the hay-field (except moving) as fall and as well, with only his feet, as others can with rakes and fork. He goes to the field and catches his horte-he faddles and bridles him with his feet and toos. If he has a feet among his fock that ails any thing, he can feparate it from the refl, and catch it when nobody. can fepatate it from the reft, and catch it when nobody elfe can. He then examines it, and applies a remedy to it. He isfo firong in his teeth, that hacan life ten pecks of beans with his teeth. He can throw a great going hammerss far with his feet as other men with their hands. In a word, he can do nearly as much without, as other can with their arms.

He began the world with a hea and chickens.—With the profits of thefe he purchased an ewe. The size of their procured him a ranged coll (as he expressed it) and then a better. After this he raised a few theep, and now occupies a farm,

Just Imported from London, and to be fold By Ebenezer Hunt,

At his Apotherary Store, opposite the precing House in Northampton, a general as agreent of Drugs Medicines.

A L S O,
Surgeons' Pocket Infroments, Lancets, Crooked Needles in Cafes, Mortan, Grain Scales and Weights, &c.
L I K E W I S E,
A large quantity of PAINTERS' COLOURS, such as White and Red Lead, Spruce Yellow, Spanish Brown, Whiting, Profian Blue, Verditer Blue, Rosepink, Umber, Verdigreafe, Ivory Black, Vermillion, &c.

Ec.

He has likewife for fale, Copperas, Allom, Ground
Madder, Oil Vitriol, Spiriu of Torpentine by the
quantity, Rofin, Patty, Cinnamon, Clores, Natmegr,
Fig., bef Lifbon Wine, &c. &c.
Nov. 25, 1789. [9 3w.]

13 THE Committee appointed by The Society for deteiling Theorems and British and Bring-ing them to periferent, request the attendance of all the members of said society, at the House of Mr. ASAMEL FOREROW, on the third day of December next, at fix o'clock P. M.

WE the fubscribers being appointed Commissioners by the hon. Judge of Pro-bate for the County of Hamphire, to receive and examine the claims of the creditors to the effate of OLIVER WHITE, late of Hadley, deceased, repre-fented infolvent, do hereby give notice, That we shall attend the bossess of our appointment at the hottle of faid deceased, on the first Mondays of January and March next, from 2 to 6 o'clock P. M. on each of faid

ENOS SMITH Exos Nash.

ed to make immediate payment, to
ABJGAIL WHITH, Adm'r.
Hadley, October 16th, 1789. (7-3w _⊌¬ : (7-3w-)



ed, by

Strayed or ftole from
the fubferiberon the night of the 11th
inft. an iron grey COLT, two year
old, one hind foot white, thore bodied, natural trutter. Whoever will
take upfad Colt and give information
where the may be had, thall be handlomely rewarded, by

ZADOCK KING, Conway, Nov. 15, 1789.

WE the fubicribers being ap-pointed Commissioners by the Hon. Judge of Probate for the County of Hampfhire, to receive and examine pointed Committioners by the Hon. Judge of Probate for the County of Hampfline, to receive and examine the claims of the credition to the cliate of ABRAHAM FLEMING, Jute of Chefter, deceated, reprefented infolsent—hereby give notice—That we finall attend the bufiners of our appointment on the fecond Tracfedgys of February and May next, from 2 to 6 o'clock P. M. on each of faid days.—No accounts will be allowed after faid fecond Tuckley of May, as the time allowed by the Judge that expires.

STEPHEN LYMAN

STEPHEN LYMAN.

FF ALL Persons indebted to faid cliate are defined

to make immediate payment, to

JAMES HAMILTON, Adm'r. Chefter, Nov. 10, 1789.

CASH or SALT

GIVEN FOR ANY QUANTITY OF FLAX-SEED.

JAMES & HEZEKIAH BULL. Hartford, Odober, 1789.

Notice is hereby given,

To the northerident proprietors of land in the town of Norwich, county of Hamphire, that their lands are taxed in the lift for 1788, as followers.

State Tax. Teron Tax.

L. f. d. h. f. d.

L. f. d. l. f. d.

George Green, 0 12 z 11 7

Jepus Bracket, 0 6 8 0 12 3

Unlefs faid taxes are paid on or before the 13th day of January next, fo much of faid Jands will be then fold at P. U. B. L. I. C. K. F. R. D. U.E.

at the Dwelling House of Mr. Samuel Parions, imposing the property of the prop

Norwich, October 24th, 1789. (6.3

WE the Subscribers being apopinted Commissioners by the hon. Judge of Probate ior the County of Hamphire, to receive and examine the claims of the creditors to the estate of MOSES WHITE, 2d. late of South-Hadley. deceased, reperented insolvent, hereby give Notice. That we faullate and the business of our appointment, on the fast Toesdays of December and January next, from 2 to 6 clock P. M., on each day, at the house of Joseph-White, in South-Hadley. No accounts will be allowed after faid term.

NOAH GOODMAN, Commif-10:IAH WHITE FFALL perfons indebted to faid effate are requelle cd to make immediate payment, to
ABIGAIL WHITE, Administrative.
South-Hadley, Nov. 3d, 1789.

WHEREAS we the fubfcribers

WHEREAS We the iubicribers were appointed Guardians by the Hon, Judge of Fubbate for the Cuanty of Hamphine, and Joan Work.

MAN, of Culrain, in faid County, on the zoth day of May 1/85.—The are therefore to notify and wan all perions from having any dealings with, or beging any thing or things of the faid Workman—Andthot who have bought of the faid Workman fines the shove date, are defined to return the fameto us the fubferibers, or thay may expect to meet with tooble.

37 ALL Perform are hereby forbid harhooring or concealing the faid Joan Workman, as they woulk avoid the Penalty of the Law.

HUGH MCLALLER,
JONATHAK MGER,

Colrain, Nov. 3, 1789.

Strong's and Beers's

ALMANACK.

By the grece, dozen, or fingle, for fale at this effite.

NOTICE is hereby given to the Non-refident proprietors of Land in the town of Comway, County of Hampshire, that their lands are taxed in a flate and minister tax, in September 1788, and town tax in February 1789, as follows, viz.

State tex. Town tax. Ministeries.

	atour laws	2 orun fax.	Minifteria.
Lot No. 126, laid to Nathaniel Dickinfon,	f. d. q.	f. d. q.	f. d. q.
Lot No. 29, laid to Joseph Barnard,	9 0.	13 0 0	2 11 3 .
Part of Lot No 116 1-14 - N. d. P.	2 3 0	3 0 0	0 8 3
Part of Lot No. 116, laid to Nathan Frary, Lot No. 2, laid to Noah Baker,	2 3 0		083
Lot No 9 laid - The h	2 8 0	3 7 0	e to 1
Lot No. 8, laid to Thomas Bardwell,	272	3 7 0	0 10 0
Part of Lot No. 35, laid to Col. Hawks,	2 3 .	3 0 0	0 8 1
Lot No. 42, laid to Samuel Barnard,	2 7 2	3 6 0	• 10 e
Lot No as hid a Comit P. Lots originally i	Shelburne.		
200 110. 44, Jain to Samuel Barnard	3 2 1	4 4 3	0 11 3
Part of Lot No. 72, laid to John Amfden,	090	1 0 0	0 2 3
Lot No. 78, laid to Col. E. Hinfdale,	1 10 2	160	9 6 3
Part of Lot No. 45, laid to Col. E. Hinfdale,	0 0 0	100-	0 2 3
Lets privingly in	helburne Gore.		
Location 4, Lain to joichi Estaard.	0 11 1	1 3 0	0 3 I
· Lot No. 7, laid to Joseph and Samuel Stebbins,	0 6 3	0 9 0	0 2 I
Lot No. 8, laid to Nathan and Obadiah France	0 3 1	0 4 0	0.1 0
Lot No. 9. laid to Samuel Dickinfon's heira	0 4 3	060	0 1 2
Lot No. 16, laid to John Williams.	• 11 1	1 3 0	0 4 1
Lot No. 19, laid to Samuel Dwelley,	0 11 1 *		0 4 I
Lot No. 26, faid to Col. John Hawks.	0 4 2	1 3 0	o i 2
Farm belonging to Ephraim Smith's beire	8 5 1		1 6 I
	TO SERVICE AND DESCRIPTION		CHEST CONTRACTOR AND

Unless faid taxes are paid on or before the first Monday of January next, so much of faid land will be then fold at FUELICK VENDUE, at the house of Mr. Samual. Boltwood, imbuldet, in side Conway, at two o'clock P. M. en will be felicient to discharge the same, with intervening charges.

DANIEL MANTOR, Collector.

Cenway, Offeber 30th, 1789.

flicution, or of a fresty, of mante of, or committee held ender the United Staten, and the decision is a spaint the title, right, privilege or exemption specially retup or elatine's by either party, under fach trains of the faid conditionton, treaty, faints or committion, may be re-examined and reserted or affermed in the Supreme Court of the United States upon a writ of error, the ciration leing signed by the chief judice or the treatment of the court, endering or peffing the judgment or decree complaine of, or by a judice of the Supreme Court of the Court, endering or peffing the judgment or decree complaine of, or by a judice of the Supreme Court of the United States, in the same manner and under the same restantian, and the writ thall have the same effect, as I he judgment or decree complained of has been restered or a final decision as before provided, may a their discretion, if the cause final have been once remanded before, proceed to a final decision of the same and execution. But no other error thall be supened or regarded as a ground of reversal in any furi case, as slore sid, then the has appears on the size of the record and immediately respects the beforement of the first or the record and immediately respects the beforement of the side of the record and immediately respects the beforement of the side of the record and immediately respects the beforement of the side of the record and immediately respects the beforement of the side of the record and immediately respects the beforement of the side of the record and immediately respects the side of the side of the record and immediately respects the side of the side of the record and immediately respects the side of the side of the record and immediately respects the side of the side of the record and immediately respects the side of the side of the record and immediately respects the side of the side of the record and immediately respects the side of the side of the record and the side of th flatores, committions, or authorities in dispute.

And be it further enacted, Thatin all cases brought before either of the courts of the United States to re-

before either of the courts of the United states to re-cover the forteingr annexed to my principles of agree-ment, coverage, bond or, other peciality, where the forfeitiers, breach or non-performance fluid appear, by the default or confelling the defendant or upon de-mutrer, the court before whose the action is, hall renmatter, the court before wines me action is, that reader judgment therein for the plaintiff to recover for much as is due according to cuity. And when the four for which judgment thail be rendered is uncertain, the fame shall, if eather of the juries request it, he af-

felfed by a jury.

And be it further enacted, That a marked that be appointed in and for each distriction the term of four years, but thall be removeable from office at pleafure, whose duty it shall be, tourned the district and fure, whose duty it shall be, touriend the dilinct and circuit course when sitting their, and all of the Sapreme Cours in the district in which that cours thall fit. And to execute throughout the shirts, all having present directive to time, and signed under the authority of the United States, and he shall have power account. of the United States, and he fail have power cor-mand all neckfary affiltance in the execution of the cit-ty, and to appliant as there find he occasion, one or more departes, who shall be renovable from office by the judge of the difficie court, of the circuit court is ling within the difficie, at the plasfure of either, and be-fore the enters on the duties of his office. As the fall he come bound for the faithful performance of the fame, by limited and by his departer before the judge of the diffrict court to the United State, jointly and feverally with two good and fufficient furties; inhabitants and freehalders of such diffrict, to be approved by the dif-trict judge, in the sum of sweets thousand delians, and trechauters of unch chimric, we approve any one un-trict judge, in the fam of twenty thouland defiats, and final lake before faidjudge, is fittil also, his departica before they enter on the duriest their appointment, the following outh of office: "IA. B. do following fivear or affirm, that I will faithfully execute all layed precepts directed to the matched of the diffrid of

" the United States, and true terorns make, and " all things well and truly, and without malice or partiality, perform the duties of the office of mar" thal [of marthal's deputy, as the cale may be) of the

initial for martina a deputy, as an east may bey or the difficit of a sering my continuance in faid office, and take only my lawful fees. So help me God."

And be it further enamed. That in all easters wherein the marthal or his departy thall be a party, the write and precepts therein shall be directed to fisch disfuncesized person as the court, or any inflicedy judge thereof may perton as the court, or any junctor junctic entered may appoint, and the perion fo appointed, its briefly authorified to execute and return the fane. "And in earl of the centions in office, unless otherwist specially removed; and finall execute the fame in the same of the deceased, the plaintiff, or petitioner in the original fuir, and the damages to be allefted, or matter to be decreed, are uncertain, in which cafe they full remaind the cause for a soal decision. And the Supreme Court shall not if a source of the condition of the condition of the deposy or a soal decision. And the Supreme Court shall not if a source of the condition of the original because of the condition of the original by write of error, but shall fend a special mandate to the circuit court to award execution thereupon. e circuit court to award execution thereupon. them; and the executor or administrator of the deceal-dad be it further eneated. That a final judgment or ed mathal shall have like remedy for the defaults and

misfeafarce in effect of furth departy or deputies darng furth interval, as they would be envitled to if the
sanfial had continued in life and in the exercise of
his faid office, until his freesfer was appointed, and
from or affirmed: And every murfall or his departy
when removed from office, or when the term for which
to marfiel in appointed fall expire, final have power
notwithflanding to execute all fuch precepts an may be
instirt hanse respectively as the time of fuch removal
or expiration of office; and the marfield fluid be held
antiverable for the delivery to his face-effect of all prifoners which may be in his cultody at the time of his
removal, or when the term for which he is appointed
fluid expire, and for that purpose may remain such prifoners in his forcefor until his foccefor fall be appointed and qualified as the law directs. misfeafarce in office of fuch deputy or deputies durpointed and qualified as the law directs.

And be it further enedled, That in cales punishable with death, the trial shall be had in the county where

the offence was committed, or where that cannot be done without great inconvenience, twelve petit jarors at least should be summoned from thence. And juat leaf flood be fummoned from thence. And ju-nos in all cafes referred in the cours of the United States fluid be delignated by lot or otherwife in each State respectively according to the mode of forming juries therein now practiced, for far as the laws of the fame thall render forb delignation practicable by the cours or marshals of the United States; and the juries thall have the fame qualifications as are required for jurior by the laws of the State of which they are tillzens, to ferve in the highest courts of law of such state, and shall be returned as there shall be occasion for them, from such parts of the district from time to time as the court shall direct, so as shall be most favourable to an imparrial rial, and fo as not to incor an unne-cellary expense, or unduly to butthen the citizens of any part of the divisit with futh fervices. And write of waiter faciar when directed by the court shall issue of waire faciar when directed by the court shall issue from the clerk's office, and shall be ferred and returned by the marshall aim is proper person, or by his deputy, or in case the marshall or his deputy, is not an indifferent person, or is interested in the event of the casie, by such steperson as the court shall specially appoint for this parquie; to whom they shall administer an oath or affirmation that he will truly and impartially ferre and returnsech writ. And when from challenges or otherwise there shall not be a jury in determine any civil or criminal casie, the marshal or his deputy shall be order of the court where such defect of grown shall happen, return jury means a talliant threath shall the state of the court where such as the state of the court where such defect of growns shall happen, return jury means a talliant threath shall the shall be shall be shall as a storetaid, jumarthal or his deputy are disquainfied as aforeraid, ju-rues may be recurred by fach difintered a person as the

court final appoint.

And to if writer can 2rd, That the mode of proofby ord jettimony and examination of winefles in ppea court thall be the fame in all the court of the Unitrie (Stear, as well in the trial of venteris experity and or defaulting and marking purilification, as of administration of administration and marking purilification, as of administration of the common law. "And when the retimony of any performance of the common law of the common of shaw to go out of the United States, or out of facts didition and to a greater diffence from the place of tri-didition and forefall, before the time of stad, or in the clear for very infirm, the deposition of facts perion may be taken de bene of the before any judice or judge did any of the courts of the Udited States, or before any chircles or judice or judge of a foreme or fuperior court, mayor or chirl angulatate of a city, or judge of facts of the parties, or being of council or attorney to citize of the parties, or increded in the creat of the caute, provided that a nonincation from the angulation before whom the deposition is to be taken to the adcaute, province in a nonincation trian the insignated before whom the deposition is to be taken to the adverte party, to be prefers as the taking of the large, and to put interrogationis, if he think it, he full made out and ferved on the adverte party or his attorner as either may be nearefl, if either is within one hupfred miles of the place of fuch caption, allowing time for their attendance after notified, not less than at the rate their attendance after notified, not left than at the rate of one day, Sundays exclusive, for every every miles travel. And in castles of admirably and marriane juristicition, or other cafes, of fishing when a libel that he filed jurishing which an adverte entry the or hapird, and depositions of perfors circumbanced. A furriain hall be taken before a claim to put in, the libelgoid fication as afortfaird thall be given to the performance that one agrees or pole-fion of the property illested at the time of the capture of feizing of the lame of the capture of feizing of the lame of the same of the capture of feizing of the lame of the day of the libellant. And every perfor deposing as afortfaird hall be carefully examined and cautioned, and twom or affirmed to refirty the whole such and fail fable in the tellings with the lame hall. the tellinony by him or her given after the faine final be reduced to writing, which finall be done only by the magistrate taking the deposition, or by the deponentin-

NORTHAMPTON, (MASSACHUSETTS) Published by WILLIAM BUTLER decree in any fuit, in the highest court of law of equity of a State in which a decition in the fuit could be had, where is drawn in question the volidity of a treaty or flatpic of, or an authority exertifed under the United REMAINDER OF THE JUDICIAL ACT. (Begun in our latt. flaspte of, or an authority exercited under the tunted States, and the derificin is <u>against their validity</u>; of where is drawn in opedition the validity of a fin-rate of, or an authority exercified under any flate, on the ground of their being repugnant to the condituti-on, treaties or laws of the United States, and the deeller on is in favour of fuch their validity, or where is drawn AND he is further exacted, That is hall be the duty of circuit counts, in cafes of equity and of admirably and naritime jurisliction, to cause the facts on which they found their features or deteree, fally to appear upon the record either from their pleadings and exerciteff, or a false of the cafe agreed by the parties, or their council, or if they difagree, by a slating of the late. in question the confruction of any chair of the con-ficution, or of a treaty, or statute of, or commission held ender the United States, and the decision is a-

or mer connects, or it may unagree, by a teeting of the cafe by the court.

And be it further enalted. That where in a circuit court, plaintiff in an athon, originally brought there, or a perimore in equity, other than the United States, recovers left than the furnor value of five hundred delivers the land the furnor value of five hundred delivers. recovers new construction upon his own appent, lefs than the fond or value of three hundred dollars, he shall not be allowed, but at the difference of the court, may be ad-inged to past costs.

indeed to pay colts.

As the it further enabled, That from had decrees in a diffici court in causes of admiralty and maritime jurisdiction, where the matter in dispute exceeds the turn of value of three hundred dollars, exclusive of cols, an appeal shall be allowed to the next circuit court, to be held in such district. Provided, nevertheless, that such amen men untrict. Provided, neverthelefs, that fuch appeals from final decrees as aforciaid, from the dif-trict court of Maine, shall be made to the circuit court next to be kolden after each appeal in the district of Massachusetts.

next to be somen ster each appear in the district of Mallachnetts.

And be it further eached. That final decrees and judgment in civil actions in a difficil court, where the natter in dispute exceeds the fum or value of fifty dolmutter in dispute exceeds the sum or value of unity on-lun, exclusive of costs may be re-examined, and recel-ed or affirmed in the circuit court, holden in the fame dishth, upon a write of error, whereto final be annexed and returned therrewith at the day and plane, therein mentioned, an authenticated transferit of the record, & offiginizent of errors, and prayer for reversal, with a ci-

anignment of errors, and prayer in recently with a certain to the adverte party, figned by the judge of lock offirith court, or a judice of fully more court, the adverte party having at least twenty days notice. And upon a like process, may final judgments and decrees in civil actions, and fairs in equity in a circuit court, howeful there by original process; or removed there from courts of the feveral States, or removed there by appeal from a diffrict court where the matterin dispute exceeds the sum or value of two thousand dollars, ex-clusive of costs, be re-examined and reversed or affirmclubre of coits, be re-examined and revented a fairna-ell in the Supteme Court, the citation being in fach cafe figured by a judge of fuch rirepit court, or judice of the Supreme Court, and the adverte party having at 1.84th thirty, days notice. But there that the no reverfall in either court on fuch writ of error for error in ruling any plea in abatement, other than a plea to the juri-diction of the court, or fuch plea to a pelition or hill in equity, as in the nature of a demurrer, or for any er-ror in fact. And writs of error shall not be brought ror in fact.— And write of error shall not be brought but within five years after rendering or passing the judgment or decree complained of, or in east the performance of the performan

he fail to make his plea good.

And be if purher emailed, That a with of error as aforefaid fhall be a faip-riedea, and flay execution in eafes only where the writ of error is ferred, by a copy
thereof being lodged for the adverfs party in the clerk's office, where the record remains within ten days, un-days excludive, after rendering the judgment or pating the decree complained of, until the expiration of which the deeree complained of, until the expiration of which term of fen days, executions thall not fillow in any cafe where a writ of error may be a superficients; and whereepon fur him to of error the Sup same or circuit court first laffirm a judgment or decree, they shall ad-judged decree to the respondent in error just days ges for his delay, and sing it or double cons at their dif-

And be it further enacted. That when a judgment or decree shall be reversed in a circuit court, such court decree shall be reversed in a circuit court, such court shall be reversed in a circuit court, such court shall proceed to render such judgment or pass such decree as the diffirst court should have rendered or pass of and the SupremeCourt shall do the Same on reversals therein, except where the reversal is in favour of the relaming. the plaintiff, or petitioner in the original fur, and the damages to be affeled, or matter to be decreed, are un-crease, in which case they fault remains the cause for a faul decision. And the Supreme Court shall not if-