

S. C.

Jackson e. d

Eden & Wood

vs

Varick & Bacon

In this ~~Suit~~ the Court have ordered a new Trial & the cause has been noticed for the circuit to be held in this city on Monday next & will be on the day kalendar for the first day

As this case has not been reported & as the same questions will necessarily occur on the new trial it is hoped that the court or some one of the Judges thereof will be pleased to furnish a certificate of the points decided, the most material of which as appears to me are

1<sup>st</sup> That Medcef Eden had such an Estate in the premises as could be devised by him

2<sup>d</sup> - That the judgment by default on the sci. fa. is an estoppel to the defendants to deny the title of Medcef Eden

3<sup>d</sup> - That the length of possession shewn in Medcef Eden the Elder & in Joseph Eden are conclusive evidence of a fee

I have the honor to be  
very respectfully  
your humble st.  
A. Berry

The Honble  
John Savage