

REPORTS
OF
CASES
ARGUED AND DETERMINED
IN THE
SUPREME COURT OF APPEALS
OF
VIRGINIA.

—
VOLUME III.
—

BY WILLIAM MUNFORD.

NEW-YORK:

PUBLISHED BY I. RILEY, No. 27 WILLIAM-STREET,

Van Winkle & Wiley, Printers.

1816.

Southern District of New-York, ss.

BE IT REMEMBERED, that on the twenty-first day of August, in the forty-first year of the Independence of the United States of America, Isaac Riley, of the said district, hath deposited in this office the title of a book, the right whereof he claims as proprietor, in the words following, to wit:

“Reports of Cases argued and determined in the Supreme Court of Appeals of Virginia. Vol. III. By WILLIAM MUNFORD.”

In conformity to the act of the Congress of the United States, entitled, “An act for the encouragement of learning, by securing the copies of maps, charts, and books to the authors and proprietors of such copies, during the times herein mentioned;” and also to an act, entitled, “An act, supplementary to an act, entitled an act for the encouragement of learning, by securing the copies of maps, charts, and books to the authors and proprietors of such copies, during the times therein mentioned, and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.”

THERON RUDD,
Clerk of the Southern District of New-York.

Stanard against Brownlow.

Monday,
April 6th,
1812.

IN this case, a decree of the late High Court of Chancery, dismissing a bill of Review, was reversed by this Court; the original decree was also reversed; and it was ordered that the injunction awarded the appellee, to stay proceedings on a judgment recorded against him by the appellant, be dissolved, and his bill dismissed with costs.

Tuesday, April 7th, Stanard, for the appellant, moved an addition to the order made yesterday; that in case the money decreed to the appellee shall have been paid, it be decreed back.

In a decree of reversal, the appellate Court will if requested, farther direct, that in case the money and costs recovered by the appellee shall have been paid, the same be refunded, with lawful interest from the time of payment.

Judge ROANE observed, that a similar order had been made in the case of *Branch v. Burnley*, 1 *Call*, 160.

The following addition was therefore made to the order: "And if the amount of the money and costs recovered by the decree in the original suit, and of the costs recovered by the original decree on the bill of the review, shall have been paid to the appellee, it is further decreed, that he do repay the same to the appellant, with interest thereon, after the rate of six per centum per annum, from the time of the receipt thereof, till it be repaid.