

had thereupon ^{and because} it appears to the Court of appeals here
that there is no error in the Record and proceedings
of the judgment aforesaid as to the refusal of the said
County Court to give the opinion and direction to the jury on
the prayer of the said Otto Sprigg, as stated in the first
bill of exceptions, and as to the opinion of the said County
Court and their ^{overruling the objection made by the said Otto Sprigg and} permitting the said Richard Shorter to be
^{as a witness} sworn in the cause, as stated in the second bill of
exceptions; Therefore it is considered by the Court of
appeals here that there is no error in the Record and
proceedings of the judgment aforesaid, as to the opinions
of the said County Court as stated in the first and
second bills of exceptions in the Record and proceedings
aforesaid certified, and that the same opinions
be in all things affirmed and stand in full
force and effect, the said causes for error above
assigned and alleged in any wise notwithstanding;
and because it also appears to the Court ^{of appeals} here that
^{there is manifest error} in the Record and proceedings aforesaid and also
in the rendition of the judgment aforesaid as to the
opinion of the said County Court and their direction
to the jury as stated in the third bill of exceptions
in the ~~said~~ Record and proceedings aforesaid certified,
~~there is manifest error~~; Therefore it is considered
by the Court ~~of~~ of appeals here that the judgment