

Case No. 3,070a.

{Hempst. 282.}¹

COMPTON v. PALMER.

Superior Court, Arkansas Territory.

July, 1835.

DISMISSAL OF CASE.

A case improperly dismissed by the circuit court; and *Boswell v. Newton* [Case No. 1,683a] cited and approved.

Error to Independence circuit court.

{At law. Action by Edward L. Compton against Thomas S. Palmer.}

Before JOHNSON, and YELL, JJ.

OPINION OF THE COURT. This is a writ of error to the Independence circuit court, to reverse a decision made at the November term of that court, dismissing the cause, on the ground that it had been discontinued by operation of law. Upon examination of the record, it is found the same question is presented for consideration, as that determined at the last term of this court, in the case of *Boswell v. Newton* [Case No. 1,683a], which opinion the court has examined and fully approved. The dismissal of the cause for the reason set forth was erroneous. Judgment reversed.

¹ [Reported by Samuel H. Hempstead, Esq.]