

**AFRICAN MERCHANTS, LIMITED, Appellants, vs. J. N. LEWIS, Appellee.**

**LRSC 2; 1 LLR 43 (1867)**

[January Term, A. D. 1867.1

Appeal from the Court of Quarter Sessions and Common Pleas, Montserrado County.

Action of Debt.

The court has carefully examined the record in this case, and on account of the mixture of questions of law and fact is unable to decide the case finally. As it does not satisfactorily appear on the records of the court in what capacity the appellee was acting, therefore it does seem necessary that proof should be had on this point. And also, to the end that the court may be informed as to what disposition was made of the money drawn, and to whose account it was intended to have been put, the court therefore feels it a duty, and in keeping with justice, to remand the case back to be tried over, and it is hereby remanded with all costs following the same.

**Key Description: Appeal and Error (Mandate, remittitur, or order of remand; Matters not included or shown in record; Record, Scope and contents, findings of fact, conclusions of law, decision, and sufficiency)**