

JOHN PAYNE TUCKER, Appellant, v.  
NATHANIEL H. S. BROWNELL, Appellee.

JUDGMENT WITHOUT OPINION.

Decided January 2, 1976.\*

*M. Fahnbulleh Jones* for appellant. *Richard Diggs* for appellee.

When this case was called for reargument, Counsellor Richard Diggs appeared for the appellee. Counsellor M. Fahnbulleh Jones appeared for the appellant and made request to be permitted to withdraw his petition for reargument. Upon deliberation, the Court granted the said request for withdrawal. In view of the circumstances it is adjudged that the judgment of the trial court should be and the same is hereby affirmed, with costs against the appellant. And the Clerk of this Court is ordered to send a mandate to the court below, commanding the judge presiding therein to resume jurisdiction over the case and enforce the judgment. And it is so ordered.

\* Mr. Justice Henries and Mr. Justice Horace did not participate in this decision.