

JACOB O. PRATT, Appellant, v. JAMES T. PHIL-
LIPS, Appellee.

[Undated.]

PER CURIAM.

According to the pleadings certified to this Court, which we have found both unscientifically prepared and woefully lacking in definiteness, it would appear that plaintiff, now appellee, alleges having acquired title to one hundred acres of land, ten of which defendant, now appellant, detains from him.

In order the better to clarify the issues and to decide them as accurately as possible, it is here adjudged that the judgment of the court below be, and the same is, hereby reversed and the case remanded with instructions: (1) To order the parties to replead; and (2) Should an issue of fact thereafter emerge tending to show that either party has encroached upon the property of the other, to order a survey by one or more surveyors, as the necessity of having one or more shall to the trial court seem expedient, the survey to be paid for by both parties through the officers of court; and the costs of the proceedings up to this point shall be borne by each party himself; and all other costs shall abide final judgment of said court.

Reversed.