

THE STATE *vs.* HAMILTON, EX.

Mr. Justice WALKER delivered the opinion of the Court.

This case presents substantially the same facts and grows out of a similar transaction as that of the case of *The State vs. Paup et al.*, decided at the January term, 1852. The opinion delivered in that case is decisive of this.

Let the decree be affirmed with costs.

WATKINS, C. J., not sitting.

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