

At the Court house of the County of Southampton on the 11th day of January 1850, Samuel B. Moore and James D. Bryant, Justices of the County, attended and constituted a Court, for the trial of a Complaint of William R. Dringdale and others of tender years by John M. Curley his next friend against John Dringdale for unlawfully holding him out of possession of a certain tract of land lying in the Town of Jerusalem containing by estimation two acres, bounded by the lands of R. M. Seiberd on the North West by Holloway's grove; South by the lot of S. Williams and the appurtenances lying and being in the County aforesaid; whereupon it appearing that the Defendant has been duly served with the Warrant, the Court proceeded to impanel a Jury for the trial of the Complaint; and Robert Barnes, Deight Carson, Wm. E. Myrick, Richd. J. Darden, Richd. R. Strong, Geo. Moore Jr., Ben. T. Barrett, Jos. D. Hart, Geo. Mahone, Geo. D. Stephenson, Starling W. Scott and Spradley S. Williams having been accordingly impanelled, they were charged in Oath in the manner prescribed by the Statute; and the Justice admitted before them all legal evidence which was offered, as well on the part of the Defendant, as on the part of the plaintiff; and suffered each party to be heard by Counsel; and the said Jury, after hearing the evidence and the arguments of Counsel, unanimously agreed upon a verdict; and found the same in the following words to wit: "We, the Jury find that the Defendant did at the time of the exhibition of the Complaint filed in this Court hold possession of the tenement therein mentioned against the consent of the plaintiff; that the said Defendant had so held possession thereof against the consent of the plaintiff; for three years next before the exhibition of said Complaint; and that the plaintiff hath the right of possession in the tenement aforesaid; Therefore it is considered by the Court, that the plaintiff recover against the Defendant, possession of the tenement aforesaid; and his Costs by him in this behalf expended; AND a Writ of habere facias possessionem is awarded, to Cause the said plaintiff to have such possession."

Memorandum: in the course of the trial of the foregoing Complaint certain questions of Law were submitted by the Defendant and decided by the Court, and the Defendant excepted to the opinion, and tendered his bill of exceptions which was received, signed and sealed by the Court, and ordered to be made a part of the Record in this Cause; whereupon the Defendant produced the certificate of Counsel practicing in the Court, that in his opinion the judgment is erroneous, and that he means to apply for a writ of error or Supersedeas to correct it; and on the Motion of the said Defendant the execution of the judgment is to be suspended for the period of twenty days, provided bond be given in the penalty of two hundred Dollars payable to the plaintiff with good security; and with such condition as the Law directs; which bond being thereupon given the execution of the said judgment is suspended accordingly for the said