



Wing

186

Depe Barrell

William

Appellant

appellee

upon a writ

This day came the parties by their attorneys, and on the motion of the appellee by his attorney, moved the Court to quash this writ of habeas corpus in this case, on this day pronounced, and to remand upon the clerk for the further decision of this Court, and for the reasons offered to the Court. It is ordered that the proceedings had on this day (previous) be set aside, and the cause be put again for the further hearing of the Court. It is ordered that the parties being fully heard by the Court, it is pronounced in this case for that - &c. Therefore it is ordered by the Court that the said Judgment of the magistrate be annulled and altogether held for nothing, and that the appellee recover of the appellant his costs by him expended in defending against a writ in procuring this appeal here.

The Commonwealth

Tam. Corbett

Def. John Corbett

On the motion of the attorney prosecuting for the Commonwealth for leave to file this information in this case, the Court is of the opinion that the same was properly filed, and the defendant by his attorney for plea is not guilty to which the attorney prosecuting for the Commonwealth replied generally, thereupon issue being joined, came also a jury consisting of James M. Kitchen, Samuel Kitchen, Goodman Branch, Michael Kitchen, Mr. Burt, Moses Hape, John Hambley, Barner Marple, Elizabeth Butler, Joshua Whitney and John Corbett who being sworn to do the truth to speak upon the issue joined brought here into Court on the word following to wit - "We the Jury find the defendant guilty of the crime charged in the indictment." Therefore it is ordered by the Court that the defendant make his fine in the sum of \$100.00 to the Commonwealth as Chief Magistrate of this County and his successors in office by the payment of thirty dollars to the Commonwealth for the benefit of the Literary Fund, and also the costs of this prosecution, and go hence without day and do so as to the motion of the defendant by his attorneys for a set aside the same and grant them a new trial, which being approved by the Court of the Court and accordingly ordered that the motion be overruled.

Robert Rockwell as next next, the order Benjamin Lewis deposed

Depe Barrell and John Neville

Simon Murphy

On the motion of the defendants they please payment by Simon Murphy generally. It is therefore ordered that the said defendants be set aside

Albion Silas Finnamore

Present William Blooming

Simon Murphy

John Neville, John Hargrave and Depe

On the motion of the defendants they please payment by Simon Murphy generally therefore is ordered until the next Court

Ordered that the Court be adjourned until the next Court

At a Court of the County of Southampton the 18th day

Present James Jones

Benjamin

The Commonwealth

Oren Embury

This day came the attorney for the defendant by his attorney, and for which the attorney prosecuting for the issue being joined came also a jury consisting of James M. Kitchen, Samuel Kitchen, Goodman Branch, Michael Kitchen, Mr. Burt, Moses Hape, John Hambley, Barner Marple, Elizabeth Butler, Joshua Whitney and John Corbett who being sworn to do the truth to speak upon the issue joined brought here into Court on the word following to wit - "We the Jury find the defendant guilty of the crime charged in the indictment." Therefore it is ordered by the Court that the defendant make his fine in the sum of \$100.00 to the Commonwealth as Chief Magistrate of this County and his successors in office by the payment of thirty dollars to the Commonwealth for the benefit of the Literary Fund, and also the costs of this prosecution, and go hence without day and do so as to the motion of the defendant by his attorneys for a set aside the same and grant them a new trial, which being approved by the Court of the Court and accordingly ordered that the motion be overruled.