

661

At the Court house of the County of Southampton on the 2^d day of September 1848 James D. Bryant and Rev
C. Pope Esq^t. Just^t. Justices of this County attended and constituted a Court for the trial of a complaint of Unjust &
Proud against James Cawell for unlawfully and against his warrant holding him out of possession of a certain
Premises containing by estimation one acre of land lying and being in the said County. Whereas 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 George Bryant Esq^t. Robert Bellamy J. Bassett, James D. Powell, John J. Gould, Ben. O.
Bender, David Turner Nathan N. Hamet, Joseph W. Blund, Benjamin J. Smith, Charles Powell, and William
W. Mathews having been accordingly impanelled, they were charged on oath in the manner prescribed by the
Statute, and the Justices admitted before them all legal evidence which was offered and the plaintiff was
sworn by Bassett, and the said jury after hearing the evidence and the argument 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 case hold possession of the premises
therein mentioned against the cause of the plaintiff; that the defendant had not held against the cause of
the plaintiff for three years next before the exhibition of the complaint, and that the plaintiff lost the
right of possession of the premises aforesaid. Therefore it is considered by the Court that the plaintiff
reclaim against the defendant possession of the premises aforesaid and his costs by him on this behalf
expended. And a writ of habeas corpus prosequitur is awarded to cause the said plaintiff have such
possession.

Signed.

Ben. C. Pope
James D. Bryant.

Teste.

J. R. Edwards *LL*