

Francis Smith *plff*
 against
Henry Allen *def* } In Debt

Dismissed by the plaintiffs order

John Underwood *plff*
 against
Matthew Underwood *def* } In Trespass Assault & Battery

This day came the parties by their attorneys and thereupon came also a jury to wit *Justus Soler* *Abraham Williamson* *Thomas Simmons* *Bennet Rollins* *John Powell* *Jermiah Lyier* *Shadrach Vick* *Stephen Summell* *Drewy Cotton* *John Andrews* *William Cichlow* & *John Kirby* who being elected tried and sworn the truth to speak upon the issue joined upon their oath do say that the defendant is guilty of the trespass assault & battery as the complainant against him hath complained and they do assess the plaintiffs damages by occasion thereof to five pounds besides his costs. Therefore it is considered by the court that the plaintiff recover against the said defendant his damages aforesaid in form aforesaid assessed and his costs by him about ^{costly} his suit in this behalf expended & the said defendant be taken &c.

On the motion of *John T. Blom* a witness for *Matthew Underwood* at the suit of *John Underwood* it is ordered that the said *Matthew Underwood* pay him ^{attendance} five hundred pounds Tobacco for eight days on this court according to law.

John Kindred *pl*
 against
William Whitehead *exor* of *Edmund Day* *def* } In Trover & Conversion

This day came the parties by their Attorneys and thereupon came also a jury to wit *John Taylor* *Timothy Atkinson* *Robert Williams* *Thomas Butler* *John Pond* *James Catthauspe* *John Cobb* *James Bell* *Henry Westbrooke* *Howell Briggs* *Edward* & *James Summerell* who being elected tried and sworn the truth to speak upon the issue joined upon their oath do say that the plaintiff is guilty of the trover and conversion in the declaration mentioned in manner and form as the plaintiffs against him hath complained and they do assess the plaintiffs damages by occasion thereof to twelve pounds twelve shillings and six pence. Therefore it is considered by the court that the plaintiff recover his damages aforesaid in form aforesaid assessed and against the said *def* his costs by him about his suit in this behalf expended to be levied of the goods and chattels of the said *Edmund Day* at the time of his death in the hands of the defendant to be administered if so much he hath if not then the costs to be levied of the proper goods and chattels of the said *def* be in money. On the motion of *Edy Brown* a witness for *John Kindred* agt *Wm Whitehead* *exor* of *Edmund Day* it is ordered that the said *John Kindred* pay her two