

declaration mentioned and of this they put themselves upon the country and the plaintiff doth likewise and thereupon came a jury to wit, William Hart, James H. Barnes, Archer Atkinson, Jas Edwards, Geo W Stephenson, R. F. Barham, R. E. Darden, Harris Turner, Albert Bryant, Samuel Ferguson, R. W. Coker & Robert Williams who being elected tried and sworn the truth to speak upon the issues joined, and having heard the evidence were sent out of Court to consult of their verdict and after sometime returned and not having agreed on a verdict were adjourned till tomorrow morning ten O'Clock.

Orris Moore who sues for the benefit of Eliza V. Davis & Edwin W. Beale heirs
of Wm S Williams
against
Richard W Clayton
Jeff? In case left

On the motion of the defendant who pleaded non assumpsit set off, to which the plaintiff replied generally the judgment obtained in the office is set aside and thereupon came a jury to wit, Wm Hart, James H. Barnes, Archer Atkinson, James Edwards, Geo W Stephenson, R. F. Barham, R. E. Darden, Harris Turner, Albert Bryant, Samuel Ferguson, R. W. Coker & Robert Williams who being elected tried & sworn the truth to speak upon the issues joined upon their oaths do say "We the jury find for one of the plaintiffs (Mrs Eliza V Davis) and assess the damages at twenty two dollars and ninety four cents (\$22.94) with interest from 28 Oct. 1869" and we of the jury find for the defendant Richard W Clayton against E W Beale and assess the damages against the said E W Beale for R. W. Clayton for \$161.53 with interest from this day. Therefore by consent of parties it is considered by the Court that the plaintiff for the benefit of Eliza V Davis recover against the defendant twenty two dollars ninety four cents his damages assessed as aforesaid with interest thereon from this 28th day of October 1869 till paid and his costs in this behalf expended. And that the defendant recover against E W Beale One hundred & sixty one dollars fifty three cents his damages assessed as aforesaid with legal interest thereon from the 21st day of November 1869 and his costs by him about his defence in this behalf expended.

Joe Whitehead who stands indicted of house breaking this day and who stood bound by a recognizance for his appearance before this Court on the first day of this Term of the Court to answer the Commonwealth of said charge, and who was solemnly called but came not was this day surrendered to the Court by Calton Whitehead & Martha Whitehead his securities in said recognizance and thereupon the said securities from their said recognizance are discharged. And the said Joe Whitehead is committed to the custody of the jailor of this Court.

Ordered that the Court be adjourned till tomorrow morning ten O'Clock
J. M. Magrath Judge