

Marie being formerlie a Servant of the said Alexander, and after her departure from his said Service the said Alexander pretending that th^e s^d Marie had stolne a Coife out of his house the said Alexander did Co^mand his said Servant Elizabeth Taylor to goe unto the said Marie then in th^e Service of Edward Philpot, and demand th^e same of her Whereupon the said Marie to cleare her selfe from such fowle aspersion was willing and at the instance and request of the said Elizabeth did permit her the said Elizabeth to make search among the said Maries linnen but th^e said Elizabeth not being therewith Satisfied though no such Coife could be found did by force and armes take, and Carrie away from th^e s^d Marie a holland apron to th^e value of fiftie pounds of tobaccoe and did likewise at th^e said Philpots planta^con beate wound and evilly intreate her soe th^t of her life she did despaire whereby she the said Marie is exceedinglie damnified not onlie for th^t the said Elizabeth hath thereby disabled her to performe such service for w^{ch} she had hired herselfe to the said Philpot but allsoe for that the said Marie having a verie sore legge the Cure thereof hath been verie much hindered by the said beating and assault afores^d And the said Marie Ellis likewise further declareth and Complaineth ag^t the said Alexander Smyth for that th^t is to say That th^e s^d Alexander was not onlie by his instiga^con and Co^mand abetting to the said trespasse co^mitted by the said Elizabeth his servant against th^e person and goods of the said Marie as aforesaid but allsoe hath wrongfullie witheld and detained th^e said Apron soe forcible taken away as afores^d and doth yet detaine and withold the same whereupon the said Marie saith That by the said assault and detainer she is Damnified and hath Da^mage to th^e value of 500^{lb} of tobaccoe And thereupon she brings her suite.

Liber C.

The Defend^{ts} plead the generall issue Not guiltie in w^{ch} issue the Plaintiffe joynes with them [p. 239]

Whereupon a venire facias issued out of C^{rt} to th^e Sherrife to Su^mon a jurie of twelve honest men to trie th^e s^d issue depending between th^e Plaintiffe and the Defend^{ts} whose names were as followeth viz^t Stephen Montague foreman Robert Henley George Harris Ignatius Causeen Clement Theobalds, William Boyden, John Muns, John Dowglas, John Wheeler, William Allen, Thomas Allanson Giles Tompkins

The Plaintiffes Attorney hereupon exhibiteth in th^e C^{rt} these following Depositions one sworne to by Edward Philpot before M^r William Marshall, and th^e other Sworne to by Francis Ferneley before M^r Francis Pope

Edward Philpot aged Seaventie yeares or thereabout declareth That he Saw Elizabeth Taylor Servant to Alexander Smyth come to his house and there demanded a Coife of Marie Ellis living in the said Philpots house which the said Elizabeth pretended th^e said