

Said legg as likewise for th<sup>t</sup> th<sup>e</sup> said Serv<sup>t</sup> was Incapable of performing his the said Jonathans Service as formerly and as Yet Complains of a payne in the Said legg Soe th<sup>t</sup> he the Said Jonathan Sayes th<sup>t</sup> he hath loss and is damnefied to the Value of one thousand pounds of to<sup>b</sup> and thereupon he Bringes his Suite: Liber E

Eliza : Thompson Sworne on behalfe of th<sup>e</sup> Plt<sup>f</sup> Who Declares, th<sup>t</sup> Some tyme in May last did w<sup>th</sup> one how helve Strike her downe to th<sup>e</sup> Ground and then kicked her legg and beate her Soe much th<sup>t</sup> Shee Could not rise from th<sup>e</sup> place where Shee lay, and farther declares th<sup>t</sup> th<sup>e</sup> kick th<sup>t</sup> he gave her legg Caused it to be Soe Sore th<sup>t</sup> Shee Could not walke about her Masters buisness, and farther Cannot Say

Hen : Hardy Sworne on th<sup>e</sup> Plt<sup>fs</sup> Behalfe Whoe declares th<sup>t</sup> he Saw th<sup>e</sup> said Serv<sup>t</sup> on Whitsuntide, and then at th<sup>e</sup> Plantacon Saw her legg bleed much, and th<sup>t</sup> Shee the Said Serv<sup>t</sup> tould him Shee might thanke Tho : Hayes for her Sore legg

John Lemayre Sworne, and declares, th<sup>t</sup> at th<sup>e</sup> request of Jonathan Marler he went to looke after th<sup>e</sup> Said Serv<sup>ts</sup> legg and th<sup>t</sup> Shee then tould him that th<sup>e</sup> Sore bread of it Selfe and farther Sayes not,

Whereupon th<sup>e</sup> Worshippfull Comishoners have ordred th<sup>t</sup> a Non Suite be entred ag<sup>t</sup> th<sup>e</sup> Plt<sup>f</sup>

The Df<sup>t</sup> p<sup>r</sup>ferreth this ensueing Bill of Cost to th<sup>e</sup> Court w<sup>ch</sup> is [fol. 94] allowed of

To Tho : Hays for one days attendance.....	30
To John Kymborough p ditto.....	30
To Attorneys fees.....	60

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120

In a Certayne matter of Difference depending between Sam : Cressy Plan<sup>f</sup> and Fra : Kylborne & Eliza : his wife Df<sup>ts</sup> th<sup>e</sup> Plaintiffes Declaracon is read in Court as followeth

Charles County ss: And Whereupon th<sup>e</sup> said Sam : Complayneth ag<sup>t</sup> th<sup>e</sup> Said Fra : and Eliza : for th<sup>t</sup> whereas on the 12<sup>th</sup> day of in th<sup>e</sup> 40<sup>th</sup> yeare of the Dominion of Caecilius & Annoq Dñi 1671; and at divers dayes and tymes Since till th<sup>e</sup> 12<sup>th</sup> day of March in the Same Yeare at the Speciall instance and request of him the said Fra : he the said Sam : did draw for him the said Fra : Sevall Declaracons and Sevall tobaccoes for him the Said Fra : did Demand in Consideracon whereof the Said Fra : did then assume on himselfe and to th<sup>e</sup> Said Sam : did faythfully promise to Satisfie and Content the Said Sam : when thereunto required Yet the Said Fra : although often thereunto required the Summe of five hundred pounds of tobacco has not Satisfiel but Doth altogether refuse to pay the Same, whereupon the Said Sam : Sayth he is Damnefied and hath loss to Value of Seven hundred pounds of to<sup>b</sup>: and thereupon he Brynges his Suit