

1698/9 January Court

Thomas Franklin and Sarah his wife _____ Otho Russell and Mary his wife in an action of cause for words setting forth by their petition that the said Mary Russell about July last in several places and before several of his majesties liege people did utter speak and _____ many false and scandalous words and _____ greatly to the defaming and scandal of the said Sarah particularly that the said Thomas Franklin coming one night from fishing did catch his servant John Smith in bed with his wife and beat his wife and turned her away and she went to her (? fathers?). Prayer judgement for twenty pounds Sterling damage with cost the defendant for answer pleadeth that they did not invent nor _____ that repost but heard it from other persons and that the words are not actionable. The _____ matter being put to a jury who bring in their verdict as followeth. We the jury find for the plaintiffe and damage five hundred pounds of tobacco Francis Saylor Foreman.

Upon the plaintiffs motion it is ordered that the juries verdict be recorded and judgement is granted upon the same that the said Otho Russell pay the said Thomas Franklin the sum of Five Hundred pounds of Tobacco with cost _____ ex.

From which verdict and judgement the said Russell appeals to the fifth _____ of the next General Court which is granted provided he give security according to law. Capt. Hugh Campbell surety for the said Russell to prosecute and Jacob Johnson surety for the said Franklin to answer.

1728 LWT
Thos Franklin
Princess Ann Co