

crave yovar honnars serves considoration that so yovar apellant may not be rvn down and trampled vppon by fals and disaitfvll persons nor pay damedg whear he haith don no whrong nor more then is meet [*faded*] he may have don a mis and yovar apellant shall evar pray

W^m [Obbinson]

These Reasons were received Feb^r 28^o 167th

per Js^a Addington Cler.

The Court of Assistants (Records, i. 78) found for Gilbert. Obison was committed to jail for non-payment, as appears in the case of Gilbert v. Matson at the April session, 1677, see below p. 796.]

GILBERT agt. OBISON

John Gilbert plaint. ag^t William Obison Defend^t in an action of the case for detaining his dwelling house & tan yard & barn & the rest of his pitts with all due damages according to attachm^t dat^d 9. October. 1676. . . . The Jury . . . found for the plaint. that the s^d Obison shall give the plaint. quiet possession of his house barn & pitts within Forty dayes or pay Sixty pounds mony & costs of Court allow^d Fifteen Shillings.

[See previous case.]

SWEETE agt. GIBBS

John Sweete Junio^r Attourny of James Sweete, Phillip Sweete Jeremiah Smith & John Gelliot, plaint. ag^t Capt^a Benjamin Gibbs Defend^t in an action of the case for that the s^d Benjamin Gibbs sometime in the month of September last past did forceably and illegally take away from the s^d persons off from Prudence Jsland in the Colony of Rhode Jsland twenty Five Indian Servants men women & Children & doth still detain and withhold from them theire s^d Servants; which is to the damage of the s^d persons at least one hundred twenty Five pounds in mony with other due damages according to attachm^t dat^d October 10th 1676. . . . The Jury . . . [405] found for the plaint. that m^r Benjamin Gibbs is liable to Satisfy for twenty Five Indians the Summe of thirty Seven pounds ten Shillings mony & costs of Court. Lidia Gibbs as attourny to her husband Benjamin Gibbs appealed from this judgement unto the next Court of Assistants & her Selfe principall in thirty eight pounds & Anthony Checkley and Thomas Savage junio^r in nineteen pounds

apeice acknowledged themselves respectiuey bound . . . on condition the s^d Lidia Gibbs should prosecute her appeale . . .

[The attachment, a power of attorney, and the following deposition (S. F. 1498.2) are the only documents on file for this case, which the defendant appealed to the Court of Assistants (Records, i. 77-8), obtaining a reversal of the former judgment.

John Godfery, aged 27 yeares, or thereabouts, being vpon oath, testifyeth that the Same Sabbath day at Night as Captaine Benjamin Gibbs tooke the Indians, from Canonicus Jsland, in the day he went to prudence Jsland and Ca[me] neere William Allens house, where he Seized on Eight Jndians, & Carried them aboard & thence, he went to the house of James Sweete, and thence he broug[ht] Seventeene Jndians more, and Carried them aboard, & Phillip Sweete & James Sweete Challenged the Said Jndians, this Deponent further Saith, that it was about Twelue a Clock at Night, when they were taken, Taken vpon Oathe before me this 27th of September 1676 Newport

John Cranston Deputy Govo^r]

ALLICETT ag^t SKILLION

John Allicett plaint. ag^t Thomas Skillion Def^t in an action of the case for not paying his wages due for making his Fish at cape Sable to the value of Seven pounds or thereabouts with due damges according to attachm^t dat^d 9th October. 1676. . . . The Jury . . . founde for the plaint. Seven pounds mony damage & costs of Court allowed thirty two Shillings and eight pence.

Execucion issued Nov^r 11^o 1676.

DAFFORN agt CROW

John Dafforn plaint. ag^t Christopher Crow Defend^t The plaintiffe withdrew his action upon a judgem^t acknowledged

DEANE agt. WING

Thomas Deane plaint. ag^t John Wing Defend^t The plaint. withdrew his action.

HUNT ag^t JOHNSON

John Hunt plaint. ag^t John Johnson Def^t in an action of the case for withholding from him the s^d Hunt a debt of Six pounds in mony due by bill with interest & all other due damages according to attachm^t dat^d October. 26. 1676. . . . The Jury . . . found for the plaint. Six pounds mony according to bill & costs of Court.