

Case No. 814.

BALL v. PATTERSON.

[1 Cranch, C. C. 607.]<sup>1</sup>

Circuit Court, District of Columbia.

Dec. Term, 1809.

TROVER—PLEADING.

A declaration in trover for “a tool-chest containing divers tools, and working utensils,” and a “trunk containing clothes,” is sufficiently certain.

[See Ball v. Patterson, Case No. 813.]

At law. The declaration having been amended, and a verdict rendered for the plaintiff, the defendant moved in arrest of judgment for uncertainty of the declaration, which was for “a tool-chest containing divers tools and” working utensils,” and “a trunk containing clothes.”

Mr. Caldwell, for the defendant A chest of tools would have been good; but a chest containing divers tools and working utensils, is not. It is too vague. *Bottomley v. Harrison*, 2 Strange, 809.

THE COURT was of opinion that the declaration was good as to the trunk and chest, and tools and clothes. Judgment for the plaintiff.

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]