

SNOWDEN v. MCGUIRE.

{2 Cranch, C. C. 6.}¹

Circuit Court, District of Columbia. July Term, 1810.

EVIDENCE—COSTS—CORRECTING VERDICT.

1. In an action of assault and battery, the questions, "Who printed the handbill?" and "Where was it printed?" are too general; not showing any agency of the defendant.

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2. If the jury give only one cent damages, believing that it would carry costs, when it would not, they will not be permitted, after the verdict has been taken and they have been discharged from the cause, to go out again to alter their verdict.

Assault and battery.

THE COURT refused to suffer the plaintiff's witness to be asked by the plaintiff's counsel where the handbill was printed, as being too general. THE COURT, for the same reason, refused to suffer the witness to be asked who printed it. (THRUSTON, J., absent.)

After the verdict had been taken for one cent damages, and the jury had been discharged from the cause and retired from the bar, but not out of the passage to the court-house, the foreman came into court, and informed the court that they had understood that one cent damages would carry the costs; and that they supposed, as the assault was admitted, they were bound by law to give damages enough to carry the costs, but they now understood that one cent would not carry the costs.

Mr. Taylor, for plaintiff, prayed the court to suffer the jury to retire again and correct their verdict, and stated that such was the practice in Virginia.

Mr. Jones, for defendant, objected.

THE COURT (THRUSTON, Circuit Judge,
absent) refused.

¹ [Reported by Hon. William Cranch, Chief Judge.]

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