

Thomas: Morris. Pet.
vs
Wm: Gomis. Def.

Sangster p. p. l. }
But p. d. l. } Attorney. Found Issue and tried the whole matter to the Court.

Somerset County Mr. William Gomis of this County Constable was summoned to answer unto Thomas Morris of the same County in a plea of trespass of the Case. And whereupon the pet by James Sangster his Attorney Comd and says that the deft upon the 11th day of Sep^r 1688. did require and command Thomas Gindry of Bequels Norton to press a horse in Order to carry & transport Henry Bowman out of this County into Suffol^r County in the County of Comfildonia, according to which Ord^r the said Gindry did press his p^ls horse and him the said Bowman did transport, and by his jibes riding and ill usage hate so abused his p^ls horse that he is made uncapable of any manner of service, though the p^l hate used all his care and endeavour to help and cure the said horse. To the p^ls great loss & damage, not only in the want of the horse's service, but charges also in endeavouring a cure which could not be performed to the value two thousand pounds of labour and thereupon brings this suite

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Somerset County Mr. Shows are in the name of the Right Honourable the Lord Proprietor to will & require you Thomas Gindry, and by these presents I do constitute and empower you the said Gindry in my stead to press any horse you can meet with bridled and saddled, for the transporting of Henry Bowman into Suffol^r County. And for your so doing this shall be your warrant given under my hand this 11th day of September. 1688. William: Gomis.

To the worshipfull Court of Somerset County, your Petitioner humbly sheweth, that whereas his horse being pressed by Order of the Constable for the Sea Board side, your Petitioner did in November last make his address to your worship with his complaint of his great damage he hath sustained by the ill usage of his horse, your Petitioner having shown his horse to Mr. James Round and Mr. Hopkin while he was in that condition where it is not well yett, some of your worship then thought that no legal way for us to petition to your worship for satisfaction from the publick for private wrong done us. Where now since the Constable, hopes your worship will be pleased to take it into your consideration, that as it was required by your worship, to allow me damages there, that now I may not suffer, for want of satisfaction for the abuse done to my horse, and self in the great want I have of him and cannot make that up I might if he had not been so disabled, if authority will not allow it because the prisoner was carried out of the County: Gaffirms that it must be a private injury done to him with appeals to your worship for Justice where I doubt not, and your petitioners Count shall pray for

Thomas: Morris.

The Court having considered the above so presented, do find it No cause of action.

Wm: Barron do swear that I have founded on the action of Thomas: Morris pet and Wm: Gomis d. ff 16: days. Sworn before Thomas: Gomis. Coppis Order sent to Barron p. l.