

March 1707/8

Michael in manner and form aforesaid had warrantably alleged / that the said Michael
having been perhaps then being a Justice of the Peace in the said County and the
said Curis having then occasion for such a Draught horse to oblige his Landlord as the
said black horse was then by the said Michael represented to be did agree to, allow, discount
and discharge the said Michael from aforesaid his full Demand of seven hundred pounds
of Tobacco viz the sum of eight hundred as he said it was appraised to him at and
the one hundred more viz the Demand of the said Curis for the favour in Selling him
such a good Cart horse - And y^e aforesaid Curis doth farther in fact say and affirm that he the
said horse soon after viz upon the ninth day of October in the year aforesaid at about
County aforesaid in the Jurisdiction aforesaid and often since did cause to be put in France
whom other horses, and also boys, and to bind, and in the Cart plow and Hogs
and every way tryd by skilfull Carters and husbandmen in order to have him do
the work of a Cart horse and Draw according to the use & purpose for w^{ch} he had
then bought him but found him unaccustomed to Draw or perform in any manner
of Drawing or Carting work whereby the said Curis was convinced that he was
falsely & fraudulently deceived and also to what the said Michael had said of
the said horse being appraised to him a eight hundred pounds of Tobacco deceitfully
aforesaid for all w^{ch} aforesaid falsity, fraud and complicated Deceit Accidentally Accrued unto
him the said Curis to have some Reasonable Satisfaction, Moreover the said
Michael altho often regarded the same to make halfe gain and still doth deny &
gain say whereupon he the said Curis saith he is worse and Damaged both to the
value of five hundred pounds of Tobacco and of this he brings Inche & in Doe
Philipson propria persona Plegrat. Quid Rex.

AND the said Defendant by Richard Hunter his attyng Curis and Defends -
the force and Injury wherof and yett saith that he the said Defendant did sell
unto the said Curis a Britaine black horse for the sum of seven hundred pounds
of Tobacco mentioned in the aforesaid Deed. but farther saith he the said
Defendant did not warrant the same horse unto the said Curis to be a good Cart
horse as the aforesaid Curis in his aforesaid Deed hath supposed and of this he puts himselfe
upon his Country & Hunter pro Defend

And y^e Curis in like manner Philipson propria persona
Thereupon Command was given to the Sherif of Kent County that he immediately
cause to come here twelve by whom to require because as was said and y^e
Sherif made return that he has here ready twelve as by his receipt it was
Commanded viz Thomas Compton Walter Mosby Josiah Couch Edward Ains John
James Michael Dollican Ruled Gamble Tho Whitehead Geo Smith William Wore
Thomas Decker Ruled Mason w^{ch} Jury being duly Sworn to try the Inche & in Doe
and having heard the whole matter the Co. give to them their charge who will
Draw -