

Novem<sup>r</sup> 6<sup>th</sup> Court — 1732

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Ann<sup>d</sup>. Dom<sup>s</sup>. one thousand Seven hundred and thirty two came again as well —  
the aforesaid W<sup>m</sup> Horsey as the afo<sup>r</sup> W<sup>m</sup> Wye by their Attorn<sup>s</sup> aforesaid and  
Whereupon the Same W<sup>m</sup> Wye pray further Leave thereof to Impeale here —  
Untill Next Court and he hath it and the Same Day is given to the aforesaid W<sup>m</sup>  
Horsey here also &c. —

All which said next Court to witt the fifteenth Day of August and Doid One thousand  
Seven hundred and thirty two came again as well the William Horsey as the aforesaid William  
Wye by their attorneys aforesaid and whereupon the same William Wye as before defend<sup>s</sup> the same  
and Injury when he and Saith that he did not assume upon himselfe in manner and form  
as the aforesaid William Horsey above against him hath complained and of this he putt<sup>s</sup> him  
selfe upon the County. and the aforesaid William Horsey Likewise &c. —

Thereupon command is given to the Sher<sup>v</sup>. of Somerset County that Immediately he should send  
to come here in Court before the Justice thereof Twelve &c. by whom &c. and who neither &c. to be a Justice  
&c. because as well &c. and the Jurors of that same Jury, by the Same Sher<sup>v</sup>. to witt Joshua Caldwell  
Gentleman to his being Impannelled being called came to witt, William Jones, Charles Brantcliffe, Moses  
Duskey, John Full, Thomas Hearne, Isaac Marshall, Joseph Weight, John Outen, Benjamin Tull  
William Smith, George Maglamoy and Richard Holland, who to say the truth of and upon the pre-  
mises aforesaid, being Oathed byed and sworn upon their Oath did say that the aforesaid William  
Wye did not assume upon himselfe in manner and form as the aforesaid William Horsey above  
against him complained &c. —

Whereupon the same William Horsey by his attorney aforesaid pray  
the Court that no Judgment may be given on the Verdict aforesaid so as aforesaid against him rendered  
on the part of the aforesaid William Wye, but that the Cause aforesaid (according to act of assembly  
in such Case made and provided) may be determined according to the Rules of Equity and good Customs  
which is to him granted the filing his petition in the premises aforesaid and afterwards in the same  
Court came the said William Horsey by his attorney aforesaid and Exhibited the petition following viz<sup>t</sup>

To the worshipfull Justices of Somerset County Court the Petition of W<sup>m</sup> Horsey Humbly  
Sheweth That your Pet<sup>r</sup> lately Commenced his Action on the Case against W<sup>m</sup>  
Wye Jun<sup>r</sup> for a sum of money and Tobacco Mentioned in the Declaration and Account  
thereon and to which your Pet<sup>r</sup> begs Leave to Refer that your Pet<sup>r</sup> had a Verdict  
thereon Rendered against him for want of a Strictly Legal proof of the Account  
as your Pet<sup>r</sup> is advised that your Pet<sup>r</sup> being now Remedied at Law and With  
Believing that your Petitioner can have Relief in a Court of Equity the truth  
of the Account being in the Said Wyes knowledg he humbly prays your Wor-  
ships to hear the Said Affair as a Court of Equity and that you will make  
Such Device therein as to your Worships shall seem meet and he will pray &c.

Thereupon