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of his Lordships County Court of Somerset that they would dispower themselves in a Court of Chancery and give judgment between the parties as according to Equity and good Conscience as by act of assembly in such Case made and provided which is to him granted he filing his Bill in Equity so that the same be before the Justices of his Lordships County Court of Somerset to be had at Durdunig Creek the third Thursday of June next & the same day is given to the same Geo. here also &

All which said next Court to witt the seventeenth day of June and Dord. One thousand seven hundred and thirty five came again as well the aforesaid John Hardy as the aforesaid George Howard by their Attorneys aforesaid and the said John Hardy exhibited to the Justice of Somerset County Court the following Bill against the said George Howard the tenor whereof runneth in these words To wit
Somerset sh. To the worshipfull the Justices of the County of in a Court of Chancery sitting humbly complaining sheweth unto your worships your Orator John Hardy of the County of that sometime or about the year of our Lord Seventeen hundred & thirty your Orator had dealings with & sold to George Howard of this County sundry Goods to the value of five pounds Current money of Maryland the particulars whereof your orator hereinto Court brings & for more Certainty refers himself to & prays may be made part of this his Bill of Complaint & your Orator further sheweth that your Orator in the method of gaining his lawfully good being at that time & ever since by travelling up & down the Government & the Governments of Pennsylvania & Virginia & sundry other Governments & there peddling & retailing Goods had no long abode of any one place & by that means ^{was enabled} to make such proof of his account ag^t the said George as by the laws of this Government is prescribed imagining indeed that there would be no need thereof & that the said Howard would honestly pay your Orator without any trouble & that he would readily acknowledge the receipt of the particulars in your Orator said Account charged but so it is may be sheweth your worships that after your Orator had been absent from this County some years & came to demand the same of the said George the said George refused either to allow your Orator Account or make your Orator any sort of Satisfaction for the same some times saying he never had such Goods as your Orator charged him with & at other times when your Orator threatened to sue him for his debt a^d insisted that he would have your Orator claim by the act of assembly for limitation of actions all which actings & doings of the said George are contra to Equity & good Conscience and tend to the great Impoverishing & hurt of your Orator Intender Consideration whereof & for that your Orator witnesses who could prove that his account ag^t the said George is Just are dead out of the Country or unknown to your Orator & for that your Orator Account as now proved in strictness of Law cannot be given in Evidence in any trials at Law whereby your Orator is without relief in the premises but by the aid of this Court to the end therefore that the said George on his oath may answer this your Orator