

Liber P C

Richard Wells in his life time for sev^rall goods to him sent and Consigned to him by the said Rich.^d A.^o 1668. by the hands of John Dunch master of the Baltimore, and for sev^rall servents sent in also at the same tyme, which said goods and servants were all accordingly D.^d by Dunch to the Defend.^t or his order

p. 47 That the defend.^t hath pleaded he was never receiv^r of the said Rich.^d and the cause now stands at Issue whether the defend^t was receiv^r or not Receiv.^r But for want of the Testimony of the said Dunch who is yo^r Principall Evidence to proove the bills of Lading for the said Goods and receipts given for the servants shipped and Consigned afforesd and to prove the Deliv^y of the said goods & servants to the Defend^t or his order, your pett^{rs} durst not goe to tryall

Now forasmuch as the said Dunch is now Arrived and will goe out of this Country before the Tryall can be had yo^r pett^{rs} humbly pray your Excellency will be pleased to graunt unto yo^r pett^{rs} a spā against the said Dunch to appeare before yo^r Excellency or the Hon.^{ble} the Chancell^r to Testefy the truth of his Knowledge in the said Ac^on of acc.^t betweene the said pties. and that a Coppie of this petticon and ord^r thereon being given to the Defend^t or to any of his Attorneys, M^r Ward, M^r Rousby, and M^r Cheseldine, and others being Attorneys for him and notice of the tyme and place when & where and before whome he is to be examined lest with them in wryting, the said Defend^t or his Attorneys may be there p^rsent to Crosse examine him if they please

And yo^r pett^{rs} as in dutye shall pray &^c

Under neath the foregoeing Petti^on was written as ffolloweth I thinke the petti^on is Reasonable, and doe therefore ord^r s^up^a To Issue according to the prayer of the petitioners

Charles Calvert

Maryland ss At a Court held for the Chancery and Provincial Co.^{rt} begun on Tuesday this Eleaventh day of November in the 42th year of the Dominion of Cæcilus &^c Anno^q Domini 1673, and from the sd 11th day of November by writ of Adjournm^t of the sd Lord Proprietary Adjourned untill the 12th day of the same November and their continued untill the Sevententh day of the same moneth on w^{ch} s^d Seaventeenth day was p^rsent

His Ex^clly Charles Calvert Esq^q Cheif Judge in Equity.

The hono ^{ble}	{	Philip Calvert Esq ^q Chancelo. ^r	{	Esq ^{qs} .
		William Calvert		
		Baker Brooke		
		Jesse Wharton &		
		Thomas Taylo ^r		