

Liber N N	May 10 <sup>th</sup> 1675	To one dozen of pills to Nath <sup>l</sup> Howell att. .	30
		For Tho: Howell a pectorall Julip. . . . .	60
		Ditto one Cordiall. . . . .	40
		To ditto voyage attendance boat & hands. . .	140

1674. 3312

	p Contra is C <sup>r</sup> in to <sup>b</sup>	
By 1000 foote of plank. . . . .	1000	}
By 11½ <sup>lb</sup> suger att 6 <sup>d</sup> p pound. . .	69	

1069

Rest due to ballance. . . . . 2243

more two p<sup>d</sup>s powder. . . . . 24

2267.

Errors excepted p me Geo: Wells

To the Worpp<sup>l</sup> Justices of Cecil County

The humble peticon of George Wells

Sheweth

That whereas Cap<sup>t</sup> Thomas Howell late of the said County stood indebted to yo<sup>r</sup> Pet<sup>r</sup> to ballance att his decease the just su<sup>m</sup>e of two thousand two hundred sixty seven p<sup>d</sup>s of tobacco as by accompt more att large may appeare

Now yo<sup>h</sup> Pet<sup>r</sup> humbly requests yo<sup>r</sup> worpps order for his said debt

And he as in duty bound shall ever &c

True copy examined p Swithen Wells.

As by the same transcript may appeare

Afterwards to witt the                      day of                      One thousand six hundred seventy six came before the Justices of the Provinciaall Court aswell the said John & Nathaniel Howell by the said Robert Carville their Attorney as the said George Wells by George Parker his Attorney & the said John & Nathaniel say, that in the Record & proceedings aforesaid as also in the rendring of Judgem<sup>t</sup> aforesaid itt is manifestly erronious in this

p. 585 That itt doth not appeare by the Record & proceedings aforesaid that any writt or summons issued out ag<sup>t</sup> the said John & Nathaniel Howell the Ex<sup>rs</sup> of Thomas Howell to appeare answer & defend themselves ag<sup>t</sup> any suite of the said George Wells prosecuted touching the Estate of their said Testator, which ought to have bin done, otherwise the said County Court ought nor could in Law take any Cognizance of the said George Wells supposed action, & for that reason the whole proceedings are extrajudiciall illegall And erronious being done ex parte, especially in the case of an Ex<sup>r</sup> where there was no privy of his testators supposed debt, which is ag<sup>t</sup> Law.

Also itt is erronious in that itt is said, Whereas Cap<sup>t</sup> George Wells made itt appeare to the Court that Cap<sup>t</sup> Thomas Howell stood indebted unto him att the tyme of his decease the just su<sup>m</sup>e of two thousand two hundred sixty seven pounds of tobacco as p account.