

To his Excellency Charles Calvert Esq. Chief Judge in Equity and the Rest of the
hono^{ble} Judges of the high Court of Chancery.

The humble petition of Capt James Nival.

In most humble manner sheweth. wheras this hono^{ble} high Court of Chancery by order and Decree
appointed yo^r petitioner to pay unto John Bally 49107 of Tob. out of yo^r petitioners own Estate
in y^e former of which yo^r petitioner hath already orderd and payd 43959 of Tobacco
and is ready to satisfy and pay the Remaund which is 148 of Tob. yo^r petitioner most humbly
prayeth that this hono^{ble} Court will please to order yo^r petitioner his discharge from all suits
already commenced by the said Bally against yo^r pet. and for that yo^r pet. is adjudg^d to belong
to Mr John Withway of ffrance Marchant that this hono^{ble} Court will please to order how to
be disposed of and that a power be given to yo^r pet. to Recover the debts made in Withways name.
And yo^r pet. shall ever pray &c.

Upon Reading the foregoing petition of Capt James Nival in open Court. and the said John
Bally being present it appeared that the said Bally had Received Only thirty thousand
four hundred and fourty two pounds of Tobacco of y^e said Nival, w^{ch} said sum the said
Bally did acknowledge him to have Received at afore said and no more. and it is by
the Court orderd and adjudg^d that Capt James Nival hath full power to sue any of
the Debtors of John Withway of ffrance Marchant whoe bills he hath in his hand
and that he may Recover the said Debts by virtue of Subpo^{na} of Attorney from
Withway accordingly.

At a high Court of Chancery held in Charles County Court house on y^e 26th of June 1675.
Present Chief Judge his Excellency Charles Calvert Esq. William Calvert Esq. Jesse Wharton Esq.

In a cause depend^g wherin Henry Carborough Compt

The hono^{ble} Philip Calvert Esq.
Tho: Truman Esq. Mary his wife
John Gittinge Richard Perry
Margant Perry Mary Bohman

The hono^{ble} Francis best day appeared and was sworn to
his answer in open Court.
At y^e same time appeared Thomas Truman and Mary his
wife and John Gittinge and put in their plea and defend^g
same might be allowed, but none appearing for y^e Compt
this Court hath orderd the arguing of y^e same on y^e next Provincial
Court in November next.

Thomas Gaunt being served with a subpoena this day appeared but finding no bill exhibited agst him
prayed this Court to discharge him and so y^e Court did.
Per the appointment of his Excellency Justice Nicholas Best.

Henry Beedle & Johia his wife
Executors of the last will of
Richard Wells of
George Wells - Esq. Sheweth

To his Excellency Charles Calvert Esq. Cap^t gen^l
and Chief Justice of Maryland - -
The Humble Petition of the Compt

That your Pet^r did in October Court last bring their action against the defend^t
to have him come to an account w^{ch} received of the said Richard Wells in his
life time for several goods to him sent and Consigned to him by the said Rich^d
N^o. 1668. by the hands of John Surtz Master of the Baltimore. and for several
portault sent in also at the same time, which said goods and portaults
were all accordingly deliv^d. by Surtz to the defend^t. on his order
That the defend^t. hath pleaded he was never received of the said Rich^d.
and the cause now standy at Issue whether the defend^t was received or not.
Received. But for want of the testimony of the said Surtz who is yo^r
Principal Evidence to prove the bills of Lading for the said Goods