

Secre 5. entre: p 2. heads. 50<sup>t</sup> } And the Secretary adjudged that the Liber P. R.  
 Exeq 35 } said Giles Brent recover of the said  
 henry James & Rob<sup>t</sup> Sedgrave, 150<sup>t</sup> tob.

febr: 27. 1643 Exeq: for 150<sup>t</sup> & 50<sup>t</sup> charges & 35<sup>t</sup> sher: fees.

Giles Brent appeared to prosecute ags<sup>t</sup> Anthony Rawlins & Rob<sup>t</sup> Smith for the contribution mony, & the sheriff returnd them served, & were called 3. times & not appearing, & it being found past nine of the clock, the Judge found them in default, & admitted the pl<sup>t</sup> to prove, & adjudged that Anth. rawlins for him & his house should pay 100<sup>t</sup> tob. & Rob<sup>t</sup> Smith 100<sup>t</sup> tob.

feb. 27. 1643. Exeq: vers. Anth. rawlins p 100<sup>t</sup> tob, & sher. fee & siliter v. Rob. Smith return without delay.

1643

p. 140

Febr: 9. vpon instance of Capt Tho. Cornwaleys, to be dismissed the Co<sup>rt</sup> without further delay the L. G. demanded of his Lo<sup>ps</sup> attorney, his opinion in point of law, whether accessary to rescue of one imprisond for suspition of highe treason, were to be proceeded ags<sup>t</sup> in this Prov: according to the rule expressed in o<sup>r</sup> Lawes, in bar implied to the Law of England; or according to the law of Eng<sup>l</sup>. and the Attorney delivered his opinion that the Court is bound to proceed according to the Lawes of this Province, both by his Lo<sup>ps</sup> Commission, & by their oath; (so far as the Attorney doth iudge or vnderstand:) although they have a bar implied to the law of England.

And the Leiuten<sup>t</sup> Gräll vpon the hearing of the whole matter betweene his Lo<sup>ps</sup> Attorney and Capt Tho. Cornwaleys touching the rescuous & escape &c. found the said Tho. Cornwaleys to be accessary to the rescuous & escape charged; & adjudged him therefore to lose to the Lord Proprietary 1000<sup>t</sup> tob.

Eod: & afterward vpon the petition of the said Tho. Cornwaleys, the Lieut<sup>t</sup> gräll willed his Lo<sup>ps</sup> Receivor to respite the levying of the fine till further order.

Giles Brent Esq &c demandeth of Rob<sup>t</sup> Ellyson 250<sup>t</sup> tob & cask, for the price of one gonne of the pl<sup>ts</sup> delivered him by m<sup>r</sup> wyatt, & detained from the pl<sup>t</sup> by the def<sup>t</sup>

the said Rob<sup>t</sup> Ellyson saith that he tooke no charge of the gonne demanded, nor is able to restitution.

And vpon the confession of the def<sup>t</sup> in Court, of non compos mentis when he took the gonne, the Court fined him 100<sup>t</sup> tob.

And the Secretary found, that the gonne was deposited in the def<sup>ts</sup> hands by m<sup>r</sup> wyatt at such time as the def<sup>t</sup> was