

overseer. Salisbury failed to appear in court, and judgment was given against him by default (pages 325-329).

Indictments or trials for witchcraft were so unusual in colonial Maryland that it is greatly to be regretted that the court record gives us no information as to why Elizabeth Bennett was suspected of practising the black art. At a session of the Provincial Court held at St. Mary's October 10, 1665, the Chancellor in his charge to the grand jury called to consider indictments against various prisoners, spoke "concerning witchcraft, burglary, felony, murder and other trespasses, where a penalty or fine is imposed by the law of the Province." The following day the jury returned the bill against Elizabeth Bennett marked as follows, "for Witch etc.—not p^rsentable." A week later she was cleared by proclamation (pages 476, 486, 508). When Philip Calvert, the Chancellor, referred to burglary in his charge to the grand jury, he doubtless did not foresee that he was soon to be the victim of a house entry. On December 23, 1665, Robert Dennis of St. Mary's County, saw the key to the Chancellor's dwelling house at Wolseley Manor in St. George's Hundred, St. Mary's County, left by a servant at the window, and the next day entered and stole a shirt and carbine. He was indicted by the grand jury, but escaped before he could be brought to trial (pages 538, 541-543). It is of interest that the land on which Philip Calvert's house stood is still known by the name of Chancellor's Point.

Appeals from the decisions of the Provincial Court to the Upper House of the Assembly were entered, as we have seen, in five of the cases reported in this volume. These cases have already been briefly discussed. In two of the cases, *Spinke v. Barber* and *Snow v. Gerard* the decisions in the Provincial Court were reversed. In the case of *Cornwallis v. Nicholds*, the Upper House ordered the Provincial Court to rehear the case sitting in chancery, and the Provincial Court then reversed its own former decision. In the case of *Wynne v. Hollingsworth* the Provincial Court on its own initiative reheard the case sitting in chancery. The court divided two to two, and of its own volition referred the case to the Upper House, where it does not seem ever to have come up for a hearing. In the case of *Hudson v. Anderson* the case came up on appeal before the Upper House but does not appear to have been finally heard there. The case of *Spinke v. Barber*, 1663, is the first which has been found in the Maryland records of an appeal from the Provincial Court to the Upper House.

The dignity of the Provincial Court was upheld when four men who had been summoned as jurymen and failed to appear, were fined at the December, 1664, session (page 319). At the same session the justices of the Calvert County Court were reminded of their inferior status, when the Provincial Court issued an injunction to stop action on a judgment rendered by the county court, notifying them that the case was now before the higher court on appeal (page 316). Francis Armstrong, who had made violent resistance when an attempt was made to arrest him on some charge, appeared before the court and was excused for his behavior, when he swore that he was at the time out of his head with a violent fever (page 402). At a session held in October, 1665, we have the court fining no less a person than Thomas Sprigg, High Sheriff of Calvert, for his failure to produce in the county court a servant arrested for