

lower Eastern Shore counties of Somerset, Dorchester and Worcester, and to seize unlicensed traders (*ibid.*, 115). And Herman Cornellison, the other man to whom Jones had to make satisfaction, was on that same December 16, 1672, authorized to trade on the lower Eastern Shore, and to stop those not authorized. Cornellison's commission was limited to a year and no longer; the other two were not limited as to time. Two days later, December 18, 1672, Henry Smith, proponent of the charges against Jones, who had told the Council that he wanted to be relieved of his duties as justice of the peace for Somerset and Worcester because they took too much of his time, was, in compliance with his request, ordered to cease acting as justice of the peace (*ibid.*, p. 117). Whether this was in fact the resignation it was in appearance, is not certain: perhaps the Council-justices thought all these hot-headed Eastern Shoremen needed to be calmed down. At any rate they appear no more in these records of the Provincial Court.

#### IMPORTANT CIVIL CASES

In the three years devoted to civil cases at this time, there were almost or quite sixteen hundred cases that came up. Even deducting those in which little or nothing is said beyond "Continued until the next Provincial Court (and there are pages on pages of these), or in which there is one mention of a case and only one, there are several hundred in which the minutes of the clerk preserve at least something to interest the modern lawyer or the student of social conditions. Every case that came onto the docket is entered here in the Table of Cases at the end of the volume, by plaintiff and by defendant, and the subject matter of each is entered in the index. Perhaps a few of them deserve comment here. Of the cases in which it is indicated what the charge or the plea was, the vast majority concerned some form of debt. There were a few cases of ejection, a few of breach of contract, several arising out of events that would seem to have justified criminal prosecution also. There were two cases that began as criminal (*post*, pp. 32, 158), and, without having been decided as such, appear later as civil suits for damages. But there were a hundred and fifty cases in which the plaintiff claimed that the defendant owed him sterling or tobacco and unjustly detained it.

Many land matters appear in this part of the records of the Provincial Court, and cases connected with land appear frequently on the docket. At this time, there were five steps in the acquisition of a piece of land from the Proprietary. Anyone coming into the Province to live was entitled to a certain number of acres of land for himself and for each person whom he brought in. The number varied with the conditions of plantation in force at the time of his arrival. After the rights had been proved to the satisfaction of the proper official, the immigrant received a warrant for the number of acres due him. The county surveyor, deputy of the surveyor general, next surveyed the land, and returned a certificate for it to the Secretary's office to be recorded. The next step, and the last needed to perfect the title in the grantee, was the obtaining of a patent.

Several cases in the Court arose out of trouble over one or the other steps in