

hanna Indians, and to join Virginia and New York in making a treaty with the Five Nations in New York (*Archives* XV, 149-153), so that he was out of the Province. Benjamin Rozer, appointed to the Court in April 1677 (*Archives* LXVI, 424), was no longer receiver general of the Proprietary or sheriff of Charles County. He came to Court regularly, and he also appeared on the other side of the bench as attorney for clients. He died in 1681.

Thomas Notley was governor of the Province at the time these proceedings open, and he was therefore chief justice, but he does not come to court. He got along harmoniously with the Assembly, so much so that they wanted to give him a present. "This [Lower] howse having taken into their Consideraçon the greate Trouble & Charge the hono<sup>ble</sup> the Gou<sup>r</sup>no<sup>r</sup> is at in Coming to St Maryes about the Country busines are desirous as a Token of their love Respect and Esteeme for his hono<sup>r</sup> to p<sup>r</sup>sent him w<sup>th</sup> somewhat that might be acceptable fo his hono<sup>r</sup> but w<sup>th</sup> all considering the Poverty of the Country, & the greate Charge this yeare, This howse thinke that to p<sup>r</sup>sent his hono<sup>r</sup> with any thing worth his acceptance the Country is not able now [to do] it, but in the meane time . . . [this ho]wse humbly desire his hono<sup>r</sup> to accept of 20000<sup>l</sup> of Tob: out of the pu[blic] leavy this present yeare, and desire the concurrence of the upp how[se in this] vote." The Upper House readily concurred. Governor Notley thanked the Assembly: he believed it came from cordiality "and out of a true Respect unto my pson" and he would put on it a value higher than its intrinsic worth (*Archives* VII, 47-48). When Governor Notley died, in April 1679, the Proprietary was in Maryland, and he himself took over the governorship (*post*, 113) as captain general.

This year three justices of the Court were sworn in, Col. Vincent Lowe, Lt. Col. Henry Darnall and Col. W<sup>m</sup>. Stevens (*post*, 5, 136, 240). Lowe was surveyor general, and he had been attorney general and also sheriff of Talbot County. He was also party to several suits before the bench on which he later sat. But that was not unusual. One of the suits was brought against his bond as sheriff., and the Proprietary, by the attorney general, made out such a good case that Sheriff Lowe could find nothing to say in bar (*post*, 119-120). That was March 14, 1678/9, yet less than three months later, on June 3, 1679, he was sworn in as justice (*post*, 156), and he sat on the Court for the only session after that (*post*, 240). Of course, Vincent Lowe was brother-in-law of the Proprietary, and uncle of later Lords Baltimore. Col. Henry Darnall was sworn in at the same time as Col. Lowe, and at the October 1679 session, Col. William Stevens of Dorchester County, naval officer of the Pocomoke District, joined the Court. He had been sworn in as a member of the Council on October 7, 1679 (*Archives* XV, 260), so that he was automatically a justice. He had been doing yeoman service on the Eastern Shore against the Indians (*ibid.*, *passim*). Thomas Tailor, also of Dorchester County, who had been councillor and justice since 1673 (*Archives* XV, 23; *ibid.*, LXV, 91), was present in Court on March 6, 1678/9 (*post*, 80). He was also in Court on the other side of the bench by attorney on June 6, 1679, to answer the suit of John Burnham (*post*, 159-160). And the councillor-justice lost the suit.

Of these ten men, the most that attended any one session is five (*post*, 80,