

last somer and the somme so levied pay into the hands of John Chenalys & Simon demibiel or their assignes. & for so doing this shalbe your warrant Liber P. R.

Giles Brent

To the Sheriff of S^t Maries

Leavy therewth y^r fees for the exequution

G. Brent

1643

January 2^d pntib {
 Giles Brent
 John Lewger
 James Neale

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Came into the Court Capt Tho: Cornwaleys Esq & complaineth ags^t Leonard Calvert John Lewger & John Langford Esqers, for that whereas they some time in Aprill last did charge 3 bills of exchange all of one tenor, vpon the right ho^{ble} the Lord Proprietary of this Prov: for the somme of 200^t sterling in England payable after 30. daies sight, to the pl^f or his assignes; one of the said bills being shewed to his said L^p by Thomas Gerard of Staples Jnne London gent, & the acceptance therof demanded, his Lo^p refused to accept therof; but suffered the said bill to be protested in his pñce; whereby the pl^f cannot receive the said mony, to the damage of the plaintiff to the value of 400^t sterling. And for this he bringeth his suit & prayeth processe ags^t all the lands goods & chattells of the said Leonard &c. to the value of his action.

whervpon the Lieuten^t Gräll demanded the iudgm^t of the Court whether in regard of his Lo^{ps} mandate to the contrary dated at London 14. July 1641. processe ought to be granted in this case to the pl^f.

And the said John Lewger alledging that he ought not to give any iudgem^t in the cause, being himselfe a partie in it, the Leiuten^t Grall demanded the opinion & counsell of them the said John Lewger & James Neale, by vertue of their oaths, to give him true & faithfull Counsaile &c in this case: viz.

There is a Law of the Province in these words [The Judge in all causes shalbe such pson or psons as are or shalbe from time to time authorised therevnto by Commission &c. Provided alwaies, that in all causes for w^{ch} no certaine rule &c is provided &c. the Judge shalbe the Lord Proprietary, or (in his absence) the Lieut^t gräll & the Counsell of the Province &c.]

during w^{ch} law, he the said Giles Brent is confirmed by his Lo^{ps} Commission Lieut^t gräll, wth a clause for restraint of his power to grant processe &c. in this cause

The demand is, whether he the said Giles Brent be