

Said Clark laden with powder and Shott and laid upon a table in the Said house where the Said Langworth Soon after coming in and takeing the Same into his hands the Mischief before mencōned thereupon ensued of which the Said Attorney was ready to make proof, And on the L^d Propriary's behalf prayeth that the Court would proceed against the Offenders in the premisses according to Justice and the nature of the Offence, That Soe his Lordp and the Government might be discharged in that behalf. Liber B.

And the Said Clark and Langworth being thereupon brought to their Answered acknowledged in Open Court that the S^d Phillip Anther was accidentally and unfortunately killed by the discharge of M^r Clark's Pistol in the hand of the Said Langworth unawares without any thought or Intention in either of them of any harm to the Said Anther.

Whereupon by appointment of the Court a Jury was Impannelled for the tryall Viz^t Lieuten^t Richard Bancks L^t W^m Evans M^r Phillip Land Edward Cotton William Whittle M^r John Lawson M^r John Lewger Henry Cox William Edwyn M^r ffrancis Brookes John Shertcliff and Walter Pakes who being Sworn in Open Court had their Charge given them upon their Oaths as followeth :

The Charge of the Jury.

To give in a Just and true verdict to the best of your Judgm^t and Skill upon the Evidence to be produced to you how and by whome Phillip Anther was killed and whether the Author or authors thereof did doe the Same Maliciously or willfully or else unwittingly and unfortunately, And if you find it only to be an unwilling and unfortunate accident without any Intention of Evill in the Actors In that Case to inform the Court by your verdict by whose carelessness means or default the Same happened and in what respect p. 276

After which the Said Jurors having Spent Some time upon the Tryall brought in their Joint Verdict in these words following viz^t

The Jurors Verdict

We find that Phillip Anther was accidentally and unwittingly killed by James Langworth. Neither doe We find negligence or carelessness in either party

Upon which Verdict this Court after Some debate of the Matter thought fitt and doth hereby acquitt the Said Robert Clark in every respect touching Phillip Anther's death And doth ffine James Langworth in that respect ffive hundred pounds of Tobacco and Cask to the Lord Proprietary, And doth Order him to pay all Court Charges

1^o April 1653 Execuc inde ad Satisfaciend