

Liber B.

No. 3.

The Same Court Continued the 30<sup>th</sup> of Septemb<sup>r</sup>

Commissioners Present as the day before

His Highness Attorney moveing the Court in the behalf of his highness the Lord Protector of England &c: That the Court would proceed in order to the tryall of the prisoner Iohn Dandy upon which the Said Prisoner was brought againe to the barr, And being Called by the name of Iohn Dandy to hold up his hand at the barr, did answer to that name and did hold up his hand his Indictment being read viz

P. 331<sup>t</sup> Iohn Dandy thou Standeth here Indicted in the name of the Lord Protector of England, Scotland Ireland and the Dominions thereof (by the name of Iohn Dandy) late dweller at the mill at Newtown in the County of Patomake in the Province of Maryland Smith. In that thou not having the feare of God before thine Eyes but being Stirred and moved by the Instigation of the Devill, didst in or about the 7<sup>th</sup> of Iuly last Contrary to the peace of his highness, and the Lawes Established, Maliciously and feloniously murther a Servant of thine named Henry Gouge. And being apprehended didst breake prison, and flee for that fact.

To which Indictment the Said Iohn Dandy pleading not Guilty, and being demanded how he would be tryed, did for his tryall put himself upon God and the Countrey.

The Court doth therefore order that the Sheriffe forthwith Impannell a Iury of twelve good and Lawfull men to be a Iury of Life and Death

Which Iury being Impannelled and presented to the Court, were required to answer to their Names Viz. m<sup>r</sup> Robert Blinkhorn foreman, m<sup>r</sup> Iohn Ashcomb m<sup>r</sup> Stephen Gary, m<sup>r</sup> Henry Osborne m<sup>r</sup> Iohn Hambleton George Newman, Richard Blinks, Griffin George Iohn Tayler, Iohn Bagbey, m<sup>r</sup> Nathaniell Burrowes m<sup>r</sup> William Berry, The prisoner was also demanded if he could Except aganst any of the Iury before they were Sworne, And the prisoner Excepting agst George Newman, Thomas Belcher was Chosen in his Steed upon which (the Iury being Sworne) Proclamation was made that all could give in any Evidence in the behalf of his highness the Lord protector of England &c: against the prisoner at the barr Should Come in and appeare before the Court upon forfeiture of their

P. 332<sup>t</sup> Recullisance and they Should be heard; for the prisoner Stood upon his Deliverance

Upon which Proclamation the Wittnesses did appeare, and being Called by their Names were Sworne and did deliver themselves upon their Oathes in th<sup>e</sup> Court to the Iury, and before the face of the prisoner who having all Lawfull Libertie and time to make his defence the Iury was Sent out with their Charge to find th<sup>e</sup> Indictm<sup>t</sup>