

Proceedings of the Council of Maryland, 1681-85/6. 65

of the Provinciaall Court at S^t Johns by to morrow morning Liber R.
Eight of the Clock whereof he is not to faile at his perill.
Dated the ffifteenth day of November in the Sixth yeare of
the Dominion of the R^t hon^{ble} Charles &c^a Annoq Domini
1681: Signed p ord^r
p John Llewelin Cl Consil

By the Lord Prop^{ry} & Councill

Maryland ss:

Ordered that Cap^t Josias ffendall be remanded into the
custody of M^r William Gwyther, there to remaine a close
Prisoner from henceforth at his owne charges untill he shall
have fully satisfied and paid unto the R^t hon^{ble} the Lord
Prop^{ry} the just summe of fourty thousand pounds of tobacco
which by the judgem^t of the Justices of the Provinciaall Court
hath been adjudged to be paid by the said ffendall as a fine to
his L^{dsp} and untill he shall be thence dismissed by speciall
command from his L^{dsp} in order to ffullfill the residue of the
sentence passed against him (viz:) perpetuall banishm^t out of
this Province. And the said William Gwyther is hereby
strictly charged and commanded to take the said ffendall into
his care and charge and him in safe close custody keepe as
aforesaid, whereof he is not to faile as he will answer the con-
trary at his utmost perill. Dated at S^t Johns the 16th Day of
November in the sixth yeare of the Dominion of the R^t hon^{ble}
Charles &c^a Annoq Dmi. 1681:

Signed p ord^r
p John Llewelin Cl Consil

At a Council held at S^t Maries the Seaventeenth Day of
November 1681:

The hon^{ble} { Philip Calvert Esq^r Chancelo^r }
 { William Calvert Esq^r Secy }
 The { Vincent Lowe Esq^r Sur. Gen^{ll} } Present
 hon^{ble} { Coll William Stevens }

When appeared according to order James Peterkin &
Anthony Dawson and others Def^{ts} to the Complaint of the s^d
Peterkin, and the petition of the said Peterkin being read,
The Opinion and judgem^t of this board is that the same being
already commenced by suite at Common Law it lyes not
properly before the Councill to take cognizance thereof, and
both partyes are dismissed from any further heareing here.