

Lib. C. B.
p. 107

Att a Councill held Feb^{ry} 17th 1707/8

Present

His Excy the Governour

The honble { Thomas Tench Esq^r } Col W^m Holland And }
 { Col. Francis Jenkins } Col. W^m Coursey }

Cap^t Iohn Darrocott Comānder of the Ship Susanah of Barnstaple a Trader in this Province in Chester River Complains to his Excy and the Board That whereas by the late Act of Assembly for Encouragement of Towncs he is obliged to keep Store and sell his Goods in Townes But that there is no Towne Built where he Trades so that he is under the Dilemmas Either of Exposing his Goods to the Weather desert his Continued place of Trade or render himself obnoxious to the penalty of the said Act of Assembly.

Colonel Thomas Smith late Speaker of the House of Delegates being present at the Board his Excy was pleased to Ask him how it came to pass that the Assembly had not made provision in Case Convenient Store houses were not Built in due time.

To which he Answered he was sure it was the Intention of the Assembly to have done so as may be seen by giving Liberty to the Inhabitants to Build untill September next.

Whereupon his Excy the Governour & Councill together with Col Thomas Smith and M^r Iustice Lloyd were of Opinion that in any Reasonable or Equitable Construction he would not be Lyable to the penaltys of the Act if he should sell his Goods Elce where and that no Advantage in this Case ought to be taken untill September next against him or any other person.

M^r Bordley late Clark of the provinciall Court appears at the Boarde made oath that being asked for four Navigation Bonds which the Attorney Gen^l inform'd him he was ordered to prosecute upon the strictest Search he could not find them in the Secretarys Office neither did he ever see them.

Peter Perry who had been Admitted in forma pauperis and Thomas Macknemarra assigned to prosecute his Cause against Roger Wolford Complained to his Excy that notwithstanding that Admision Macnemarra had taken twenty Shillings and one hundred pound of Bacon of him as Fees in that Cause and having now by his Misbehaviour rendred himself incapable of doing him any Service Refused to returne him the same.

The said Macnemara being at the Door his Excy ordered the Sherriff of Ann Arundell County to ask him if he had taken any such Reward. To which the Sherriff returned that