

Alvey's bad record, seems to have been leniently disposed towards him, for although they brought in a verdict of guilty, they added that the cow was worth eleven pence and no more. It would appear that the theft of an object of as little value as this was not punishable by death. The jury was sent back by the court, however, with instructions to bring in a simple verdict of guilty, and Alvey was then and there sentenced to be hanged. A number of his friends who were in court at once interceded for him on bended knees, and the Governor thereupon suspended sentence upon promise of his future good behavior (pages 166-168, 234-235, 453, 496, 538-545, 555). It is learned from another source that some eight years later a petition was presented to the Governor in behalf of Alvey by the Lower House of the Assembly, and as a result of this full pardon was then granted him by the Governor (Arch. Md. II, 377). Another instance in which the "benefit of clergy" was craved and granted, was in the case of Arthur Nottool, arrested for burglary and left shackled in the sheriff's house. He wrenched off the shackles, stole some food, and was recaptured with difficulty. He was tried at the July, 1664, session of the court and found guilty, but upon claiming the benefit of clergy, he escaped the death penalty and was branded in the right hand and released (pages 232-233).

Another case involving the terms of an indenture came before the court at its April, 1664, session. A servant maid had been sold by her master, Cuthbert Fenwick, under an extended indenture. The question at issue was the validity of a second indenture that would have extended her time of service. The case had been heard in the Calvert County Court, which had decided in favor of the girl. It was then heard on appeal by the Provincial Court, which confirmed the action of the lower court (pages 220-221, 237-238, 265, 380).

At the December, 1664, session, the court inquired into the sudden death of an indentured servant owned by John Grammer of Patuxent. The jury of inquest was unable to find evidence of whipping, but rendered a verdict that death was due to lack of proper food and lodging (page 351). At the same session John Holmewood of Anne Arundel County is called to account by the court for failing to have an inquest held over the body of a servant of his who was drowned. Testimony in the case clearly showed that the drowning was accidental, and after Holmewood had explained that he had reported the matter to the proper authorities, he was discharged (pages 314, 351, 374, 394). At the same court Sarah Hall, servant maid to Thomas Wynne, complained to the court that she had been abused by her master, that she had received several boxes on the ear and at least one "kick on the breech," and that her master had threatened to knock her down with a chair. The court ordered that she be appraised and sold to a new owner. The appraiser valued her at one thousand pounds of tobacco (pages 318-319).

Perhaps the earliest mention of oystermen's warfare, which until comparatively recent years was of frequent occurrence on the Chesapeake and its tributaries, was brought to the attention of the court at the March, 1663, session when Patrick Due, an overseer on the Bromall plantation in Calvert County, was tried for firing upon some sailors who were helping themselves to oysters recently gathered by one of the plantation hands. A sailor was killed, and Due