

accordingly entered against Stanley to recover the debts due by his predecessor Sadler. The suit was dismissed when it was shown that Sadler's estate was without funds (pages 87-90, 148).

It is exceedingly difficult to identify from the unsatisfactory descriptions contained in the early records, the character of the different epidemics which are recorded as raging at various times in the Province. We find the court under date of November 28, 1663, issuing a proclamation postponing the reconvening of court from December 8, 1663, to February 9, 1664, on account of the "distemper" now reigning in the country (page 94). It is impossible to determine the nature of this epidemic, but there can be little question that one of its victims was William Bretton, clerk of the Provincial Court, for from November 28, 1663, to January 9, 1664, the penmanship shows that a substitute acted as clerk. This was apparently Daniel Jenifer, who later became the regular clerk. We find Jenifer at intervals signing his name, framed with an elaborate spiral decoration in which appears the date March 27, 1664. It seems probable that this was the date of his appointment to office, although the first of his clerical entries bears the marginal date of March 14, 1664 (pages 184-171).

The Provincial Court records show several licenses issued to innkeepers, but whether county courts had similar powers at this date, is not clear. In 1665 we find licenses issued to Jonathan Hopkinson of South River, to our old acquaintance John Lumbrozo of Nanjemy Creek in Charles County, and to Richard Deaver of Choptank (pages 440, 455, 528). It will be recalled that when Hannah Lee, later Hannah Price, sold her house at St. Mary's to the Province for use as a State House, one of the conditions of the sale was that she should keep tavern there.

A case which was tried at the October, 1665, court involved the question as to what was a legal tender. John Six, a Calvert County tailor, was sued for debt by Richard Smyth in the Calvert County Court; judgment was obtained against him, and he was imprisoned for debt. Six then sued Smyth in the Provincial Court at the October 16, 1666, session, claiming that he had set aside for Smyth sufficient tobacco to pay a substantial part of the debt, but that Smyth had refused to take it when notified. The court divided; the majority decided that this offer of partial payment was not a legal tender, the Governor and Chancellor dissenting. Six was thereby denied relief and remained in jail (pages 460, 463, 507-508).

In a writ issued August 8, 1664, against a person whose name was doubtless Edward Ward, for a debt in the amount of 600 pounds of tobacco, the clerk, in what would seem to be a spirit of humor, thus records the debtor's name: "Edward Ward Edward Ward Edward Ward Edward Ward Wardus," and the name is thus repeated three times in the record (page 255).

Under date of October 27, 1664, Mrs. Margaret Perry of London brings suit in the Provincial Court by her attorney John Gittings against her daughter Mary Bateman, as the executrix of the estate of the latter's husband John Bateman, lately one of the Governor's councillors. Mrs. Perry declares that John Bateman, late citizen and haberdasher of London, obligated himself to set aside two thousand pounds sterling from his estate to cover a pre-nuptial bond