

court Action be Crimminall for a further triall at the proventiall Court or not". The jury brought in a *verdict* to the effect "that we do not find it valluable to Reach the law of felony Conservinge the goods that John Whit and Sarah Tayler Did Cary away from Cap^t Thomas Brodnox". The court then declared that as the verdict did not find the accused guilty of felony according to the indictment, it would limit itself to censure, and an order that the stolen goods and the servants be returned to their master (*Arch. Md. liv, 213*). It is obvious that the value placed by the jury upon the articles stolen was less than their real worth, and that the sympathy of the jurymen for the victims of a notoriously merciless master and mistress was the cause of the lenient verdict. The story of Sarah Taylor and her difficulties with the Bradnox family is referred to more fully elsewhere (pp. xxxiii-xxxiv; *Arch. Md. liv, 167, 167-169, 171, 178-180, 213, 225, 234*).

Thomas Ward was brought before the Kent County Court on August 12, 1652, "upon suspicion of felony", in having caused the death of a maidservant as the result of a severe flogging administered by Ward and his wife. The jury found that the death had not been caused directly by this flogging, but that it was "unreasonable considering her weak estate of body". The court then imposed a fine of 300 pounds of tobacco for this "unchristianlike punishment" (*Arch. Md. liv, 9*). A county court of course did not have jurisdiction in a felony, and had the jury found that the death was the result of the injuries inflicted, the cause would have gone up at once to the Provincial Court for trial. At this same session of the Kent County Court Captain Thomas Bradnox, whose cruel treatment of his servants at a later period has just been referred to, was brought before the court on suspicion of having caused the death of his servant, James Wilson, a "Scot", by flogging, but a jury found that the dropsy or scurvy from which the man suffered, and not the "stripes" which he had received, was the cause of his death. (*Arch. Md. liv, 8-9*). In these two cases the juries seem to have functioned as grand juries although the evidence was spread upon the court minutes.

At the July 1663 Charles County Court, Jacob Lumbrozo, who appears variously as physician, attorney, and storekeeper, and whose unsavory career is referred to more fully later (pp. 1-li), was charged before the justices with having brought on a criminal abortion upon his maidservant, Elizabeth Wild, who, subsequent to the time the alleged abortion occurred, but before he was brought into court, had married him. He was *presented* by a jury of twelve which rendered a "*verdict*" that he had given her physic to destroy the child of which she had been pregnant by him, and the case was ordered up to the Provincial Court for trial (pp. 387-391). As it did not come up in the higher court, however, it was probably dropped because he had disqualified the principal witness against him by marrying her. In this case we have a jury acting as a *presenting* body and also rendering a *verdict*.

It would appear that in all the seven cases just summarized the suspicion of felony was involved. In two of the three hog-stealing cases we have a formal indictment by the Attorney-General, followed by the impanelling of a jury which brought in a *true bill*, and after considering the evidence followed this