Provincial Court (pp. 18, 19). Of course it does not follow that even when an appeal was taken the case necessarily reached the higher court, as the appellant may have decided later not to prosecute an appeal, or the case may have been settled out of court. In at least one instance the Provincial Court sent down a case to a county court with instructions to summons a jury to determine the facts, apparently because the witnesses were nearer at hand (pp. 19, 20).

In the suit of John Wells *vs.* Thomas Norris, heard at the November 1671 Talbot County Court, the defendant craved an appeal *before judgment* to the justices of the next Provincial Court, but the county court answered that it had " Noe Rules for Apeales Before Judgm^{t} for all Appeales are Affter Judgm^{t} "; the defendant then replied that the Chancellor had held at the last Provincial Court that all appeals ought to be before judgement, but the county court refused to grant an appeal (*Arch. Md. liv,* 511).

At least three-quarters of all the cases coming before the county courts were to enforce the payment of private debts. It is to be noted that interest is nearly always referred to as " forbearance ", although the former term is occasionally found. The regular procedure in these suits for debts was for the plaintiff to secure a " warrant " from the county clerk which was turned over to the sheriff for service, and the " arrest " of the defendant. It is probable that in most cases such " arrest " was technical, and that only in instances where the sheriff, who was liable, was suspicious of the defendant, was he actually held a prisoner until his case came up for trial at the next court (*Arch. Md. i,* 492). Where witnesses were required by either party, subpoenas for them were issued by the clerk for the sheriff to serve. It is surprising in what a large proportion of the cases coming to trial the defendants confessed judgement without disputing the claim. It would almost appear that the defendant allowed the suit to come to trial so that the payment of the debt might thus be made a matter of record. In most cases a " bill of debt ", equivalent to the modern promissory note, was submitted in evidence. Failure to satisfy the judgement was generally followed by execution upon the property of the defendant, and if this were insufficient to satisfy the debt, execution upon his person, and imprisonment for the amount of the debt. Court costs including jurors' fees if there were a jury, together with the sheriff's imprisonment charges, had to be satisfied before the defendant could be released, unless a tender-hearted creditor relented and paid the costs himself. It is to be noted that the phraseology used by the clerk to set forth these steps in a suit for debt varied greatly in different counties and under different clerks. In 1676 a law was enacted providing that suits involving debts of not over 1500 pounds of tobacco might be heard and determined before two justices of a county court (*Arch. Md., ii,* 537-538). As time passed popular demand became more and more insistent that the powers of the county courts be increased, so that the public might not be subjected to the expense of a trip to St. Mary's, or Annapolis, for a hearing in the Provincial Court.

Four cases before the county courts were suits to recover *gambling debts.* At the November, 1662, Charles County Court suit was entered to enforce the payment of a bill which had been given in payment of losses incurred at a game of dice called " passage ", played at Capt. William Batten's house " on a