

cutor, and had a jury impanelled to determine whether the value of the animals killed made the offence a felony (pp. 544-549, 551-553).

Few acts of violence seem to have come up before the county courts, those of a serious nature having gone directly to the Provincial Court. A considerable number of minor breaches of the peace, however, appear on the record. Drunkenness, profanity, and Sabbath-breaking cases were rather infrequent, the punishment lying in the discretion of the court, which might impose a small fine, or order the culprit to the whipping-post, although the latter penalty seems to have been confined to servants and others of the lower classes. There is one case of forgery. In a few instances rows developed at a convivial gathering where liquor flowed too freely, and were dealt with rather leniently by the court. Planters were frequently brought before the county court and fined for failure to plant the acreage of corn required by law. Acts passed in 1638/9, 1640, 1642, 1649 and 1654, made it obligatory upon the tobacco grower to plant two acres of corn for every taxable person employed on the plantation, both indentured male servants and negroes of both sexes being reckoned as taxable (*Arch. Md. i*, 79, 95, 251, 349). There are a number of cases in all four counties where fines were imposed for violation of these corn laws.

Bastardy cases are fairly numerous and in nearly all instances the women involved were servants. The father was also usually a servant, but there are two instances in which masters were charged with having fathered the child. The law regarding bastardy, although several times amended, had a fourfold application—as it related to the mother, to the father, to the master if either the mother or the father were a servant, and to the people of the Province in general. The acts of 1658 and 1662 clearly define the damages for which the father was liable to the mother and to the master (*Arch. Md. i*, 373, 441-442). These acts were revised in 1671 (*Arch. Md. ii*, 396-397). They provided that if the woman were seduced by an unmarried freeman upon promise of marriage, he could right himself with her by marriage, and with the master by paying damages for the loss of her services. If the father were a servant he was liable to the woman's master for half damages. In a case in the Somerset County Court a woman, apparently not a servant, was ordered to pay a fine of 500 pounds of tobacco, or receive a whipping, or to work on the public highway (*Arch. Md. liv*, 642, 659, 671). In one instance the father of the child gave bond not only to reimburse the master for the woman's loss of time, but a further bond for damages in case she were to die within one month from the time of her confinement (*Arch. Md. liv*, 622). In still another Somerset County case where neither party is stated to have been a servant, the man was ordered to pay a fine of 1000 pounds of tobacco, and the woman 500 pounds, or were these fines not paid, the offenders were to be whipped (*Arch. Md. liv*, 671-672, 691).

The case of Lucy Stratton, brought before the Charles County Court by warrant from Gov. Fendall on charges of bastardy and of drying up her milk at the risk of her child's life, came before the court at its November, 1658, session. Arthur Turner, a planter, who, she declared, was the father, at first denied the child's paternity, and she was given thirty lashes (p. 28). At the two