

court is disclosed by a suit for defamation which he instituted against Thomas Paine who was represented by Benjamin Rozer. Paine made no denial of having called Jenifer an "unworthy Knave", but prayed the judgment of the court whether these words were actionable. Paine's position was more vulnerable than that of Champ, as the slanderous words had evidently been uttered after Jenifer had become a sworn attorney of the court. Advised to ask Jenifer's forgiveness, he did so in open court, and his apology was taken by Jenifer "for satisfaction", but the court ordered that he find two sufficient sureties for his appearance before the next court, and the meanwhile to be of good behaviour, or else be committed to the custody of the Sheriff (p. 126). Here the matter seems to have been left.

CIVIL FUNCTIONS OF THE COURT.

We find the Provincial Court frequently exercising civil duties which ordinarily came within the province of the county courts. One of these was to provide care for the ill, the indigent, and the aged, usually by boarding these unfortunates out in families. Benjamin Hammond, "being quite destitute of howseing or sustenance", was ordered to have accommodations at Robert Perry's house, with meat, drink, lodging, washing and clothing, and a year later Perry was allowed 900 pounds of tobacco for his care (pp. 151, 321-322). Martha Crab, "lame and cannot maintain herself", was ordered at the April, 1667, court to live at the house of Walter Pake, an inn-keeper of St. Mary's County, and a year later the Court again directed that she continue at Pake's house for another year. Incidentally it may be added that some months later this same Walter Pake was hanged for the murder at his own house, while drunk, of William Price (pp. 352, 354-356). Henry Grist, a bed-ridden servant of John Warren of St. Mary's County, had been for nine months and two weeks cared for at great cost and trouble to his master. The court ordered that if Grist did not soon recover, the charges for his care were to be allowed by St. Mary's County (p. 322).

John Hester, "being in a very meane Condiçon haveing noe habitacõn or place of abode . . . and being upwards of sixty years of age", was relieved of paying the levies (p. 395). William Land, left friendless and unable to provide for himself, was ordered to live with Daniel Devine until he became eighteen years of age (p. 538).

The county courts usually appointed constables to serve in the various hundreds of their respective counties. As showing how the Provincial Court, when it saw fit, assumed the powers ordinarily entrusted to the local courts, especially of the St. Mary's and Calvert County courts, we here find it regularly appointing constables for the former county (p. 156, 181-2, 305-6, 536, 537, 538). Coroners at this period were ordinarily appointed by the Governor. When it was reported at the December, 1668, session that there was no coroner for Lower Patuxent in Calvert County since the death of Richard Collett, the Governor announced the appointment of Mr. George Beckwith to serve there during his pleasure (p. 367). When William Bretton, one of the coroners of St. Mary's County, indicted by the Grand Jury for not viewing a corpse when