

pounds (p. 396). In another case a servant girl, Marie Ellis, at the September, 1667, court, brought suit for 500 pounds of tobacco against Alexander Smyth and his maid servant, Elizabeth Taylor. Smyth accused Marie, who at the time was his servant, but when the suit was filed in the service of another, with having stolen a coife. Smyth sent Elizabeth Taylor to recover the coife. To clear her name Marie allowed Elizabeth to search among her linen but the coife was not to be found, whereupon Elizabeth then "did beate and abuse her verie much and did throw th^e said Marie over a tree several times calling her Hore to make use and lie with men", and "struck her with her fist", and finally went off with Marie's holland apron. The plaintiff declared that she was so disabled as to be unable to serve Mr. Philpott to whom she had hired herself, and that the cure of a "verie sore Legge" had been much hindered by the assault. The jury awarded Marie 50 pounds of tobacco as damages, and costs and found Alexander Smyth an accessory because he had not returned the apron to Marie (pp. 100-103). One of the witnesses in the case said that he had seen the assault when he was working at "goodie Michels"; this is doubtless Joan Mitchell (Michael), widow of Thomas Mitchell, about whom insinuations of witchcraft had been made a few years before (*Arch. Md.* LIII, lv).

One of the few cases in this period in which there is recorded a sentence for committing a *misdeemeanor* was that of William Taylor, doubtless a servant, who was ordered to have ten "slashes" upon his bare back for stealing a pair of stockings, "but by his submission to the court the worshipfull Co^mmissioners was pleased to remit the punishment" (p. 565).

SEX RELATIONS

The most curious of all the "to-keep-the-peace" cases was that in which a man, possibly a too importunate suitor, was ordered by the court to keep away from a girl. At the August, 1667, court, Joseph Peters "was cleared and freed by Proclamation." The case had come up upon the complaint of a planter William Perfoite. The court ordered that Peters remain in the hands of the sheriff until he gave his own bond that "he comes not into the company of Anna Bramstone any more & that if they happen to meet he avoid her Company & th^t he should not beate William Perfaite nor come upon his planta^{co}n" (p. 261). The June, 1666, county court, acting under orders of the Provincial Court, proclaimed a certain Mary Marler an outlaw (p. 12). No other reference to her is to be found in these records. The case of Mary Marler of Portobacco, a spinster, found guilty of infanticide in the Provincial Court at the April, 1666, session, has already been treated in full in the introduction to a previous volume of the *Archives* (LVII, xxx). When the sheriff went to bring the prisoner, who had been found guilty, into court for sentence, he found that she "Had broke prison and fled for it, Whereupon Proclama^{co}n made three times that if she came not in, to be Outlawed." None of the records disclose whether she was caught or, if so, what was her fate.

As usual a number of *bastardy* cases and cases of a man and woman accused of *unlawful cohabitation* came before the court during this period. There are