

Liber JJ cceeded ag^t according to the Tenno^r of the said Act of Assembly for Acquittall or Condemna^on as it was Lawfull for him to doe, And if any of them belonged to the said Henry Smith the informer or any other person he or they owneing of them or any of them may make their defence as they please

As to that part of the next Article wherein this Respond^t is Charged to say that he this Respond^t should say in August Court that he would sitt with them noe more for he had Provided an und^r officer &c. This Respond^t saith that y^e office of Sheriffe is an office that may be pformed by Deputy, And if he doe not Provide a Deputy to Attend or Attend himselfe the Court may impose a fine upon him, but if he haue a Deputy there it is sufficient,

To the other part of that Article wherein the Respond^t is Charged that an Order of Court sent to him to execute as Sheriffe he did in the presence of some gentl. of Virginia refuse and flung it back againe to the bearer, this part is voyd for the incertynties for the Informa^on doth not Expresse what ord^r of Court it was nor upon w^t cases or betweene what partyes, nor at what Court it was made nor by whome signed whereby it may appeare that it was an ord^r according to Law or that it was directed to the Sheriffe to Require him to Execute neyther is any pson named that brought the ord^r to him, ffor all which Defects incertynties & intricacyes in the said Informa^on conteyned it manyfestly appears that the said Informa^on is by them the sayd Henry Smith & ffrancis Jenkins, brought out of Mallice meerly to put this Respond^t to unnecesary Charges & trouble, Hee hopeth this Hon^{ble} Board will casheire the said Informa^on. and Dismiss this Respond^t with Costs and Charges in this behalfe most unjustly & wrongfully susteyned Came Vincent Lowe
 p. 522 Esq^z Attorney Gen^{ll} who aswell On the Behalfe of Caecilius Lord and Proprietary of the Province of maryland &c as on the part of the Informants saith that Notwithstanding any thing alleadged by the said Thomas Jones, the said Thomas Jones is Guilty of all or some part of the matter Conteyned in the said Informa^on, & of this he putts himselfe upon the Judgem^t of this Hon^rble Court; And the said Thomas Jones likewise

And after a ffull hearing of the businesse this day to witt the Tenth day of Decemb^r in the 41th yeare of the Dominion of Caecilius &c. before his Lord^{pps} Justices his Excellency Charles Calvert Esq^z Cap^t Gen^{ll} and cheife Governo^r of this Province being p^rsent, And the said Thomas Jones Co^mmissⁿ from the Right Hon^{ble} the Lord Proprietary for the sole Indian Trade of this Province, being openly Read His Lord^{pps} Justices are all Clearly sattisfied that the said Thomas Jones hath Exceeded the Limitts of his Co^mmissⁿ for the Indian Trade as afforesd from his Lord^{pp} to the said Jones Grannted, And therefore the Court Doe order the said Co^mmissⁿ to be Imediately Cancelled & vaccated, which was in open Court done by Tearing off