Carvile and John Rousby Attornyes of this court That the Petitioners being absent at the Sitting of this Court On Saturday last the Court proceeded to the calling the Docquett and for want of the Petitioners attendance the Court did nonsuite and give judgment against severall of the Petitioners Clyents who are thereby very much dampnified. The Petitioners Pray that in regard they did not heare the last beateing of the Drumm being a windy morning and that it was not a wilful default of the Petitioners they humbly pray that the said causes may be reteined and their Clyents not Suffer for this default." What the Court did about the cases does not appear, but it was "Ordered by the Court here that the Petitioners be fined to his Lop̄p the Lord Proprietary the sume of foure hundred pounds of tobacco apeice." (*post,* pp. 383-384) Yet the Court did, upon occasion, take judicial notice of the weather. It declared that it was sensible that the tediousness of the December weather was the reason that auditors had not done their work (*post,* pp. 63, 99), or that the sheriff of Talbot County had not served his writs as by law he ought, and the cases were delayed until next Court (*ibid.,* p. 440). John Rousby, one of the busiest and brashest attornies before the Court was fined one hundred pounds of tobacco for violation of a Court order "that the Attornyes Speake regularly and when the Court think fitt under fine of One hundred pounds of tobacco each tyme (*ibid.,* p. 585).

One case of what must be disbarment occurs in these proceedings, though, as often happens, the word is not used. "Thomas Knighton one of the Attorneys of this Court being accused for falsefying a writ out of this Co^{rt} after it was under the lesser seale of this Province & signed by the Clerke, and the said Knighton humbly Confessing such his misdemeano^{r} submitted himself to the mercy of the Court, who this day ordered that the said Knighton be Discharged of his place of an Attorney in this Court and never more psume to practise in this Province, but impose no fine upon him quia pauper." (*post,* p. 50)

In criminal cases it was all but indispensable to have grand jury action. Such a jury, consisting of from sixteen to twenty men "sworn according to the Teno^{r} of the oath usually administered to Grand Juro^{rs}." (*post,* pp. 2, 8), considered indictments delivered them by the Attorney General and returned either a true bill or an *ignoramus.* Upon a true bill, the accused was tried, by a petty jury. The jury might be called a trial jury, a petty jury or a jury of life and death. Upon an *ignoramus,* the accused was discharged by the Court, either with or without an acquittal by proclamation (p. 32). The grand jury could, of course, present persons, without any action by the Attorney General, and it did so, for substantially the same crimes as those coming up by indictment. Once a true bill or a presentment had been voted by the grand jury, there was a trial, usually by a jury of twelve. In criminal cases the case against the accused was set forth by the Court itself, with testimony being heard, and with the prisoner speaking in his own behalf. He —or she— was told that he had a right to challenge any of the talesmen, but there were no challenges used in any of these criminal cases, and but one —for cause— in a civil case (*post,* 147-148). It was also possible to have a non-jury trial, but this, too, was not done in any of the criminal cases here.