

1672 for killing some hogs and marking others. When on December 11, 1672, he came to trial, the jury found him not guilty and he was discharged upon paying his imprisonment fees, even though he had, in the meantime, had a further charge of stealing and leading away a cow placed against him (*ibid.*, pp. 38, 43, 44, 46, 49). He served on juries frequently after that.

James Neale, Jr., son of the founder of the prominent Neale family, had served on the jury that acquitted Justinian Gerard. Not long after that, he, with his father, was bound over to answer the same charge (*ibid.*, p. 44). He was indicted for stealing eight or ten hogs which he found in his own orchard, and his father was also indicted for stealing several hogs and for marking as his own several more that did not belong to him. Despite his plea of not guilty, the trial jury held him guilty, and the Court gave judgment against him as a first offender. Young Neale then made a subservient petition to Governor Calvert, who was also chief justice of the Court. "yo^r poore pet^r being . . . under the Just sentence of the Law procured by the unadvised Rashnes of his inconsiderate youth . . . unlesse your gracious goodnes and Redundant Mercy wherewith yo^r Excellency hath Ever been adorned . . . humbly begs yo^r wonted Grace and mercy to be Extended to him . . . to be freed from that Ignominious punishm^t", and much more in the same strain. And his Excellency was graciously pleased to order that Neale's punishment be remitted upon his paying damages to those aggrieved and paying also the fees against him. "And the said James Neale Jun^r imediately in open Co^{rt} upon his Knees thanked his Exclly for such his Clemency & mercy and prayed for the Lord Proprietary" (*post*, p. 48). Young Neale at this time was about twenty-two years old. His father, who like him, asked for and got the assignment of John Morecroft as counsel, plead not guilty, and the jury declared him not guilty, so he was freed and, on paying his fees, he was discharged (*ibid.*, p. 48).

Joseph OKeene, Richard Shippey or Sheppey, Thomas Whyniard and Ann Norman, charged with hog stealing, were all acquitted by proclamation and discharged upon paying their fees. No one appeared to prosecute OKeene, Sheppey was given an *ignoramus*, and Whyniard and the Norman woman were acquitted by proclamation, with no other comment (*ibid.*, pp. 25, 32, 50).

The importance of the crime of hog stealing and the severity of the law against it made the allied crime of altering cattle marks equally punishable. Yet there were cases of that kind of altering. Joshua Guibert of Lukeland, Choptico Hundred, St. Mary's County was charged by John Blomfeild, clerk of the Court and attorney, with altering the marks of a steer, five heifers and four yearlings belonging to Blomfeild and marked with the mark of the late Dr. Luke Barbor, whose widow Blomfeild had married (*Archives*, V, p. 98). He had also taken a mare foal that belonged to Blomfeild himself. When the case came to trial, Guibert stood upon his traverse, and the Court, without giving any reason, ordered the presentment to be quashed, and Guibert was discharged (*post*, pp. 12-13). The same Richard Meekins who had already been charged with hog stealing, was also presented for altering the marks of other hogs. He chose a jury trial and was acquitted (*ibid.*, pp. 38, 49).

There was, in this period, one case of rape. On October 17, 1671, Humphry