

his mother, asked the Court to order that she have her thirds assigned to her, so that he and the other children should have what was due them. The Court, after a full investigation, did so order, and added that Andrew was to have all the patents and other papers relating to the estate.

If a widow with children remarried, as she usually did, the stepfather could not be restrained by her in his treatment of the children or of their estate. If, though, the children had a guardian, he could protect his wards. Robert Dunn, sheriff of Kent County, guardian of William Vaughan, told the Court that Jeremiah Eaton, the boy's stepfather, had not turned over to him 10,000 pounds of tobacco that had been left to young Vaughan by Major Thomas Ingram, who may have been the boy's godfather, nor the four head of cattle left him by his father (*post*, pp. 178-179). The Provincial Court ordered the case back to the Kent County court, with orders to find out what Eaton had of the property of the boy, and to have it turned over to his guardian. On November 12, 1673, the Kent County court reported that they had gone into the matter and had got from Eaton a promise to pay over to Dunn the 10,000 pounds of tobacco. Despite the court's order, Eaton had not paid over the tobacco, so the Provincial Court ordered that a *scire facias* issue to Eaton, to be followed by an execution for the tobacco if he did not show cause (*ibid.*, pp. 590-591). The proceedings of the Kent County court do not show anything more in this case, but there is a gap in them from October, 1671, to 1675/6 (*Archives*, LIV, pp. 317, 318).

SMALL CASES

Although the Provincial Court was at this time the highest court in the Province except the Governor and Council sitting as a court of appeals, the record shows it considering very small cases. In the case of Daniel Jenifer *v.* Lodowick Martin, the innkeeper and lawyer sued Martin for 308 pounds of tobacco, which amounted to 308 pence, since tobacco was valued at a penny a pound (*post*, p. 341). There were two or three cases involving 400 pounds or less, and a dozen or more worth less than a thousand pounds.

Nor were cases concerning small sums of money the only kind of small cases considered. The poor, especially the sick poor, asked for and got the Court's consideration. So, too, did widows and orphans. On May 6, 1674, John Le ffebure told the Court "That he is diseased by certaine infirmity of old Sores fallen into his legg that he is unable to worke for his liveing neither hath any thing to help himselfe but almost Starved for want of Sustenance and releife and prays allowance for a maintenance or to transport him to his native Country." which may have been France. The Court learned that the St. Mary's County court had allowed him 800 pounds of tobacco, and ordered Mr. Clement Hill to arrange for his passage, and to give the old man what was left after the passage was paid (*post*, p. 543). Mrs. Walter Greene, whose husband was in prison for debt, told the Court that she had nothing to sustain herself or her child, and the Court ordered the St. Mary's County commissioners to give her and the child a competent maintenance (*ibid.*, p. 387). At that time a competent maintenance for a pauper was not a definite amount, but it was certainly