

doctor's bills were at stake. Hilton owed 4000 pounds of tobacco, and he had engaged not to dispose of what was coming to him in right of his wife until after Howell was paid. Hilton had not paid the 4000 pounds or any part of it, so Howell sued. After continuances and imparlances, the case came to trial, but Hilton came not, so the Court awarded Dr. Howell the 4000 pounds of tobacco, plus 554 pounds more for his costs and charges (*post*, p. 294). When Edward English, merchant, sued John Stansby, chirurgeon, for 5623 pounds of tobacco on a plea of trespass on the case, Dr. John had only bought, had and received of Edward various goods, wares and merchandizes for which he had promised to pay and had not paid. When the case came up, Dr. Stansby came not but made default, and was ordered by the Court to pay the 5623 pounds damages and 584 pounds more for costs (*post*, p. 271). Of course there were some cases in which chirurgeons or practitioners in physic were in court as doctors. John Wynne "practicing phisick & Chirurgery in this Province", cared for John Cuningham, who "did languish of divers distempers of body", and who promised to pay the Doctor what he should deserve. Wynne took care of the sick man from May 16, 1676 to August 11, 1676, and he was a witness to his will (Will Book V, f. 80). For his care Wynne asked of the executors 3100 pounds of tobacco, and, when they did not pay, he sued for 5000 pounds. When the case came to trial, the executors, John Watson and Thomas Carlisle, came not, but when Wynne produced his account and swore to it, he was allowed by the Court 3100 pounds of tobacco damages and 536 pounds costs (*post*, p. 85). The affairs of William Ditton, or Dyton, followed a familiar pattern. Ditton, "languishing of a distemper whereof he Shortly after dyed," came to the ordinary kept by Richard Keene on Patuxent in Calvert County. He told Keene that if he would receive him and look after him, "he would well and truly Satisfie and content the said Richard what he should deserve", and the innkeeper did as the sick man asked. He called Doctor John Peerce, also of Calvert County to attend Dyton in his illness and to administer physic. Dyton died, and his administrator, Thomas Dent, promised Peerce that he would pay him as much as the Chancellor approved. The account was for 2180 pounds of tobacco: Chancellor Philip Calvert approved it for 1880 pounds. Dent paid only five hundred pounds, and his wife Rebecca paid nothing, either during her widowhood or after her marriage to John Addison. Dr. Peerce sued Addison and his wife, who had been the wife of Dent, the administrator, for 3000 pounds of tobacco. When the case came up, the Court accepted Peerce's sworn account, and ordered that he have the 1340 pounds not yet paid, with 588 pounds more for his costs (*Archives* LXV, pp. 548-549; *post*, pp. 85-86). The case in which a Doctor Charles Howell, being called to attend a servant boy, and, having effected a cure, then had to bring suit against the master, has already been discussed (*ante*, p. xxvii; *post*, pp. 294-295). What the Court allowed for the care of this sick servant boy was more than for the care of any free man.

The interesting Robert Harper enters into the story now, and in connection with doctoring. Harper had been the servant of Garret Van Sweringen and was earlier described as being "Skilled in Phisick & Chirurgery & of the same