

In the lifetime of John Cornish of Talbot County, he and Henry Hooper agreed about the sale of a certain boy servant, name unknown. Cornish told Hooper that he had brought the boy into the Province and that the lad had no indenture but was to serve according to the custom of the country. Relying on this word, Hooper accepted the boy, and, within the due six months, he took him to the Dorchester County court to have his age determined. In court, the boy showed that he had an indenture, and that it was for four years of service. Hooper felt that he had been defrauded and deceived, but Cornish refused either to take the boy back or to return the bill for 1500 pounds of tobacco which Hooper had given him, and even sued him on the bill when he did not pay. In court Hooper won the decision, and a writ of enquiry of damages (*post*, 107-108, 132, 188). Perhaps the next liber will show what the jury thought Hooper ought to get in damages.

CHIRURGEONS

Again this year there is little to be said about doctors or about the art of healing: again the term "chirurgion" is most often used descriptively. Since doctoring, like law practicing, was not a full-time occupation, doctors were planters or gentlemen or administrators too. There are three cases where a doctor sued for professional fees. One of them, that of Doctor Humphrey Davenport against the marksman, Ralph Fishborne has already been discussed (*ante*, xv). Dr. John Wynn, who had practiced "Phisick & Chirurgery with good success" for several years in the Province, was called in to treat William Williams for "a certain distemper called a feavour or a seasoning As also of a fracture in the skull by a fall from a horse." Williams promised to pay Wynn "what for the same [his care and his visits] he should deserve[.]" Wynn thought he deserved 2970 pounds of tobacco, but neither Williams nor his wife, his administratrix would pay. So Wynn sued for 4000 pounds of tobacco. When the case came up in court, Administratrix Jane Williams "came not but made default", and the Court awarded Wynn damages of 2970 pounds of tobacco with an undetermined sum for costs (*post*, 220-221).

In 1678 Samuel Lane was "a doctor of phisick & accustomed to practise phisick within the Province of Maryland. . . ." Charles Gosfright "did languish of sicknes & violent distemper" and he called in Dr. Lane, with a promise to pay him what he deserved. Lane attended Gosfright for more than a month, and he thought that he well deserved 8940 pounds of tobacco. Neither Gosfright nor his executors paid, so Lane sued them for 12,000 pounds. When the case came up, the executors demurred and, for want of an account, the Court sustained the demurrer. The executors recovered 730 pounds of tobacco for their costs and charges, and they were also granted execution (*post*, 247-249).

Dr. Edward Husbands was not practicing medicine in these pages, but his conduct here and in other places show that he was an interesting villain. On June 12, 1678, he told the attorney general, in public, Attorney Nehemiah Blakiston "had robbed him on the high way & putt him in feare of his life & tooke violently from him his hatt & perriwig," and he required the Attorney General to draw up an indictment against Blakiston. Accordingly, Sheriff