

Upper house 29th October 1688

This house have appointed Coll Vincent Lowe and Mr Secretary Darnall Members of this house to Join with Mr Robert Carrile and Mr John Rowsby in a Committee for the Drawing the Bill of Revoicall of the Temporary Laws —

Signed P. Order The Grunwin of the Assembly
Coll Digges returns and says the Lower house are Adjourned —
This house Adjourn till to Morrow Morning 9 a Clock —

Tuesday 30th of October 1688 The house met again

Present

The Right Honourable the Lord Proprietary

The honourable — { Coll Henry Coursey } Coll William Stevens
 { Coll Vincent Lowe } Coll William Digges
 { Coll Henry Darnall } Mr Secretary Sewall
 { Coll Thomas Failler } Mr Secretary Darnall

Then was further Debated the Business of Mr Rowsby and Sperton and his Lordship Requested Coll Henry Coursey Coll William Stevens Coll William Digges and Coll William Burges that they would take the full Examination of both parties and the evidences on either side and report the whole State of the Case in writing to his Lordship, They go out —

The Bill for Regulating the Tares of Tobacco hogsheads read and appointed to by this house.

The house Adjourned for an hour then sat again

Then Came into this house Coll Coursey Coll Stevens Coll Digges and Coll Burges with the Report of the Case between Mr Rowsby and Sperton which was read in this house as followeth —

To the Right honourable the Lord Proprietary

We the persons appointed by your Lordship to hear and Report to you the State of the Case betwixt John Rowsby Plaintiff and Joseph Sperton Defendant touching two runaway Servants of the said Rowsby do humbly present as followeth Viz^t —
Imp^t We applyed ourselves to the Records to view the said Rowsbys Will and Declaration the

Date of the Will being the 14th of December 1680 the Return being the 15th of february following — in which Declaration he complains of a Trespass upon the Case Damages 12000^o of Tobacco for that the said Sperton had taken up two Servants or Runaways and by Misfeizance of his Office as Constable in not carrying them before the next Justice of Peace according to Law where they might have been Secured but contrary brought them to his own house from whence they made their Escape by which Misfeizance he became so much Damaged —

2dly We find upon the Record that upon a Jury Raymond Starlesford being fore man the Verdict was given against the said Sperton 6000^o of Tobacco Damages and Judgment pass by Default for the same in respect neither Sperton nor any attorney appeared for him — upon which Judgment Execution followeth &c:

Spertons Answer —

1st He does own that being advised by one of his Neighbour that Two Men that were Suspected Runaways were at the house of William Peirce and had bin there at work — some time upon which he being Constable went thither and seized the said Servants