

Ordered that the Law you before us at the Council table be perused according to their opinion to the Board with all convenient speed

A Petition of W^m William Sharp being also brought by Howard W^m Sharp is referred to be read till tomorrow morning June the 2 1697

The Council again sat and were present as yesterday excepted Foster and the Gentlemen appointed upon the Committee

The Petition of William Sharp yesterday brought from the House was as follows viz
To the Committee of Redress of Grievances

The Petition of William Sharp of Talbot County
Sheweth

That whereas your petitioner was heretofore seized as security for and with one John Tench for 1000 Sterling and whereas your petitioner was informed that said bonds would not be brought to Talbot so soon as they were but have longer time allowed them for their defence whereupon your petitioner went home from the provincial Court leaving with his Attorney no manner of instructions to defend the suit whereupon Judgment was got against your Petitioner by non sum informatus and afterwards the said Tench who pleaded that it was not his deed so the Jury found that it was not his deed and Judgment was given upon the Verdict for the Defendant and thereupon the Attorney General appeared to the Governor and Council and your petitioner brought a writ of Error upon the Judgment given against him and proceeded a writ of Supersedeas directed to the Sheriff of Talbot County but before your petitioner could get out of Town the Sheriff of Annapondall County late on Saturday night about Twelve of the Clock came to serve your petitioner with Execution on the said Judgment and your petitioner shewed the said Sheriff the writ of Supersedeas who would take no notice thereof but served the Execution & detained your petitioner thereupon in prison contrary to law and the liberty of the Subject and therefore your Petitioner offers this to the Committee humbly praying that his case may by this Committee be represented to the House of Assembly in order to be relieved according to Law
And he will pray 850

By the House of Burgesses May the 28 1697

The above petition being read Voted Nemine Contradicente that the taking the petitioner and detaining him in prison after he had purchased his Majesty's writ of Error upon the very Judgment on which the Execution is made is illegal and against the course of Law

Signed by Order W^m Bladen Clerk of Assembly

The said Petition was by order endorsed as follows and returned back to the House by W^m Dent viz

By his Excellency the Governor and Council 850 June the 2 1697
The within petition and Vote of the House thereon is referred back by W^m William Dent one of the members for better explanation for that no writ of Error was issued till after the Petitioner was taken in Execution
Signed by Order Hen. Denton Council
June the 3 1697

The same came back answered as follows viz

By the House of Delegates June the 3 1697
We have reaperned our former debate of this matter and say that it was represented to us that the writ of Error was issued before Execution served but that being now denied we have called for the writ of Error before us by which together with the Account the Sheriff gives of the time he arrested the Party seems still to be that the writ of Error was issued before Execution served as by the date of the writ of Error appears to us and for further satisfaction therein we have herewith sent the said Writ of Error which was the Reason of our former Resolve
W^m Bladen Clerk

The further proceedings in this matter appears in the other Journal of Council Proceedings of this date

Proposed that the Minutes of every days proceedings both of the provincial and county Courts be constantly read over every night or morning by the Court and for the Court to be held afterwards in the last Courts Proceedings be read anew again and inspected by the Justices that a due Record of the same be kept

It being signified to his Excellency that the Committee appointed in the matter about the Indians had drawn up several proposals and made a final Conclusion it is considered that