

City, to be found recorded in the not yet printed Proceedings of the Provincial Court Liber F. F. No. 3 (folio 645-649).

Indian affairs occasionally find their way into the record. The Assembly in 1669 had passed an Act to set aside for the use of certain friendly Indians a tract of considerable extent lying on the south side of the Choptank River in Dorchester County, subject to an annual rent of six beaver skins (*Arch. Md.* ii, 200). As certain portions of this tract were then in possession of the whites, it became necessary to condemn them for public uses. For this purpose a writ of *ad quod damnum* was issued out of Chancery, and on March 7, 1671/2, an inquisition was taken upon three tracts containing in all four hundred acres, lying within the bounds of the reservation as fixed by the Assembly, and damages totalling 17,000 pounds of tobacco awarded to the several owners (pages 71-72). On October 23, 1671, a similar writ was issued for an inquisition and assessment of damages of another tract lying within this Indian reservation, but in this case the return of the jury is not to be found in the record (page 378). Several instances also occur in this volume of land condemned by the same procedure to be used for water mills. In these cases the land in question, after condemnation was granted to a specified individual, to erect thereon a water mill, which was looked upon as of value to the community as a whole.

A case of some little human interest is that of a prominent planter, Thomas Marsh, of Kent County, who sought relief in Chancery against George Utie of Baltimore County, a prominent planter, and an indentured servant woman, Hannah Bowen, whom Marsh had sold to Utie. Utie charged that Marsh was the father of a bastard child which Hannah had given birth to after her purchase. Marsh emphatically denied this, and declared that Hannah had made the charge in the hope of escaping a flogging, the penalty for bearing a bastard. The case had come up in the Baltimore County Court and was ordered to the Court of Chancery for a hearing in April, 1674, apparently because Utie had failed to pay Marsh 1,400 pounds of tobacco which he had agreed to pay for the servant, and which Marsh claimed he now sought to defraud him of by charging falsely that he was the father of the bastard child and because Marsh had other claims against Utie (pages 460-462). As there is no record of the matter coming up for trial in Chancery, it is presumed that it was settled out of court.

In reproducing these old records the original manuscript has been faithfully followed, even when this means repeating obvious slips made by the old scribes, such as omissions of words, repetitions of words, or the use of words clearly wrong. The only liberty taken with the original text has been in a few instances to supply in brackets the missing word or words, where the old paper of Liber C. D., although disintegrated has left enough letters of a defective word to