

## INTRODUCTION

This volume LXIX of the records of the Provincial Court, the highest common law court in the Province, begins with the opening of a session of the Court on October 7, 1679 and ends on February 23, 1681, at the end of a session. As it covers a period of less than a year and a half, little change in the working of the Court is to be looked for, and little change is found. The jurisdiction of the Court remained what it had been. Cases involving more than 3000 pounds of tobacco, and criminal cases where the penalty might be the loss of life or limb had to originate there (*Archives* III, 422), but since 1676 civil cases of less than 1500 pounds of tobacco had to begin in the county courts (*Archives* II, 537; *post*, 85). Cases might be appealed from the county courts, however small the issue.

Many of the same justices continued to serve. Thomas Notley, who had been governor and therefore also chief justice, died in March or April 1679. Baker Brooke died in March 1679/80. Henry Coursey, though he lived until 1695 and continued to be a justice, does not appear at all. He was active in the affairs of the Eastern Shore in general, and in the difficulties with the Indians in particular: perhaps he came back to the Court later. Two new justices were sworn in and took their seats. George Talbot, who became a justice on February 10, 1679/80, was a cousin of Lord Baltimore, son of his aunt, Helen, and James Talbot. How and why George Talbot came to Maryland is not known. He did not appear in the Province until 1680, and since that was the year that Charles, third Lord Baltimore, returned to Maryland, Talbot may have come in with him. What his education and his experience were no one knows, but there is nothing uncertain about his energy and his impetuosity. He got from Lord Baltimore a grant for the 32,000 acre manor of Susquehanna, and he tried, with uncertain success, to plant a colony there. After he took his seat on the Court, he was present on May 13, and on November 23, 1680, and, to look forward a little, in April 1681, but in February 1680/1, he was absent. Whether he ever came back to the Court is uncertain. His gayest and most colored contribution to the Province came later, when he killed Christopher Rousby, but this is not the time or the place to go into that. William Diggs or Digges, sworn in as a justice just after Talbot, was, like him, kinsman of the Proprietary. He had been active in Virginia for a decade or so, and he was sheriff of York County in 1679. That same year he came over into Maryland, and he became councillor and justice on February 9, 1679/80 (*post*, 81; *Archives* XV, 268). In January 1682/3 he and Henry Darnall were commissioned chief judges for the probate of wills (*Archives* XVII, 130), and keepers of the great seal. In May 1664 both men were appointed to the Land Council (*ibid.* 255) and were given a third of all forfeitures of ships and vessels (*ibid.* 260). Digges was faithful enough in attendance on the Court, and he took a vigorous part in Provincial affairs. Of the total of eight men who appeared and served as justices, the greatest number who came to any one session was six, on