Lord Propry in this behalf doth prosecute and prayed the said Henry Smith
might answer the Indictment aforesaid and the said Henry Smith by his
Plea Attorney aforesaid by the special favour of the Court admitted cometh and
Defendeth the force and Injury when &c And saith that, with the Indictm
aforesaid he ought not to be burthened because he saith that he is in no
wise thereof guilty and of this he putteth himself upon the Country &c
Venire And the Lord Propry also. Therefore it is Comanded the Sherriffe of St
Maries County that he cause to come here twelve &c who neither &c
to Recognize &c Because as well &c And day is given to the said Henry
Smith in Custody of the Sherriffe aforesaid for the Cause aforesaid in
the mean time Comitted And now here at this day to wit the fiftenth
day of Sept^br aforesaid Came the said Robert Carvile who for the said
Lord Propry & the said Henry Smith by his Attorney aforesaid and the
Jury appears Jurors of that Jury Came also to wit Hugh Sherwood James Sedgwick
Robert Macklin Michael Turbull James Gore Thomas Jones Richard
Bishop John Stanly Robert Gollie Eldborne Lomax John Dionisa
Crown Esquire who to speak the truth in the premises being Elected
Verdict tryed and sworne upon their Oath doe say that the said Henry Smith
Not Guilty is not guilty of the Roscouse aforesaid to him in forme aforesaid imposed
in manner and forme as by the Indictment aforesaid is supposed against
Judgment him. Whereupon all and singular the premises being seen and by the
Court here being fully Understood it is considered that the said Henry
Smith goe thereof without Day &c
Proclamation And because it is avowed to the Court here that the said Henry Smith
is of good fame proclamation is made as Usual that if any one would
informe his Lordpp^s Justices the Attorney Gen^ll or the Grand Inquest of
any Treason Murder or felony or of any other misdemeanor by him
Comitted or would prosecute for any Crime by him done they might
come in and they should be heard But none Came &c Therefore lett the
Discharged said Henry Smith be Discharged &c

Thomas Loister Comitted Thomas Loister of Talbott County being brought downe to this Court in
Custody of the Sherriffe of the County aforesaid upon Suspition of Murder
by the said Court Comitted to the Custody of the Sherriffe of St Maries
County there to remaine till further ord^r — —

Presented Memorandum that on Tuesday the fourteenth day of September in the
year

year of Our Lord One thousand six hundred eighty and seven Before the
Justices of the Lord Propry at the Citty of St Maries in St Maries County by the
Oaths of sixteen Jurors for the said Lord Propry sworne to Inquire &c It
was presented that Thomas Loister late of Talbott County Labourer otherwise
called Thomas Loister of Talbott County aforesaid planter upon the Eleventh
Day of July in the twelfth year of the Dominion of the Rt Honble Charles
Absolute Lord & Propry &c Annoq Domini One thousand six hundred eighty
and seven at Chester hundred in the said County of Talbott not having
the fear of god before his Eyes but moved thereunto by the Instigation
of the Devill with force and Armes &c in and upon one Richard Nicholson
in the peace of god and the said Lord Propry then and there being an assault
did make and him the aforesaid Richard Nicholson with a certain hammer
of the Vallue of fourpence which he the said Thomas Loister in his right
hand then did held the aforesaid Richard Nicholson upon his head then and there
Indicted felloniously did strike giving to him the said Richard Nicholson then
and there one mortall wound of which wound the aforesaid Richard Nicholson
then and there instantly dyed And soe the aforesaid Thomas Loister at
Chester hundred aforesaid in the County aforesaid in manner and forme
aforesaid the aforesaid Richard Nicholson feloniously and of his Malice
forethought did Kill and Murther against the peace of the said Lord Propry
his Rule and Dignity — — — —
And now here att this day to wit the fixteenth day of September aforesaid
this same Court before the said Justices at the said Citty of St Maries came
the said Thomas Loister in Custody of the Sherriffe of St Maries County to
whose Custody before that for the Cause aforesaid he had been Comitted and
brought to the barr being brought to the barr here in his proppr person is againe Comitted to
the same Sherriffe &c and presently the said Thomas Loister being demanded
arraigned how he would acquitt himself of the premises above imposed upon him
plea faith that he is in no wise guilty thereof and for good and evill puts
himself upon the Country Therefore lett a Jury thereof immediately come
venire before the said Justices of the said Lord Propry here at the Citty of St Maries
aforesaid and wee neither &c to Recognize &c Because as well &c And the
same day is given to the said Thomas Loister in Custody of the said Sherriffe
in the mean time Comitted And now here at this that is to say the said fiftenth
Day of Sept^br here Came the said Thomas Loister in his proppr person
proclamation And thereupon publick proclamation being made as Usual If any one
would informe the Justices here the Attorney Gen^ll or the Jurors of the said
Inquest