

P. R. O. allows in favorem videl 1<sup>st</sup> as to their challenges to the Arraye  
 Maryland or to the Poll or both & cited the books for them and indeed  
 B. I. Vol. 2, B. F. I think they had good cause to have excepted to that part of  
 the Jury array (if nott to all for that reason) because the fore-  
 man of the Jury and some others of the Jury was of Calvert  
 County where the fact was Committed the rest were of the  
 whole body of the Province as has been usuall in the Pro<sup>ll</sup> Court  
 & M<sup>r</sup> Andrew Abbingtion the Sherif of Calvert County who  
 returned those of his County was adm to the deceased Payne  
 his Deputy Collector and Gossep as I am credibly Informed  
 and his great friend att whose house he lays buryed and  
 M<sup>r</sup> W<sup>m</sup> Parker the foreman had before the Tryall spoken hard  
 words against the Prisoners in prejudice of their lives as I am  
 alsoe Informed they were thereby allsoe to be putt in minde  
 to Demande Councill in matter of Law if upon the fact any  
 did arise and was nott doubted butt there would to clear them  
 of the Imputation of willfull murther & to Extenuate the  
 Crime to manslaughter the most if nott se Defendendo butt  
 of all those Benefitts and advertisements they were Deprived  
 being kept Close prisoners that none could come and con-  
 verse with them without the hearing of the Guard & that not  
 permitted neither to anything might be for their advice and  
 defence and the takeing away their papers as hereafter I shall  
 mention Sheppards Epitome chap: maynetenance seems to  
 say that after a felony is Committed a man may help the  
 Prisoners by his Councill Lres or the like to bring him out of  
 his trouble and I never knew it denyed here for the friends to  
 visitt prisoners in prison soe they were secure from Rescues  
 or Escapes and the Law Allowing Councill in matters of law  
 as may be seen in Divers cases in the books I conceived it  
 could be noe crime to be prepared aforehand for the same if  
 it should be adjudged fitt to asseigne them Councill and for  
 that purpose I had drawne up some heads of what might on  
 your Prisoners behalfe have been insisted on in Mitigation of  
 their Crime to be offered to a Court Legally Constituted and  
 nott Consisting of members principall agents in these our  
 unhappy Turmoyles for to these Gentlemen it was nott intend  
 to be Directed nor Perhapps all to any other Court but as  
 occation should offer and require and in those my Private  
 notes and conceptions I had used this method to bring the  
 same to the fountain of this unhappy accident and other mis-  
 cheifs to sett forth his Lordsp. Charter the long Continuance  
 of succession of the Gouvernmt. to his Lordpp the Act of  
 religion the foundation under God of our Envyed happiness  
 the Care taken by former assemblies (out of respect to his  
 Lop<sup>s</sup> good Gouvernmt) of an act of recognition of his Lo<sup>ps</sup> right  
 and Title to the Dominion of the Province by the s<sup>d</sup> Charter