

with him a similar letter from the governor of New York, and to receive, in addition to the cow and calf, three hundred pounds of pork for his services. Although Jones did not deny that Bennett had carried out his part of the agreement, he filed through John Morecroft his attorney a demurrer on the ground that Bennett did not state in his declaration, as the law required, that he had been to Delaware Bay (p. 121). One regrets that the court threw out the suit on this technicality and that Bennett had his journey for nothing. This is a typical example of the legal technicalities which Morecroft seems to have introduced into Maryland court practice.

There were certain legal restrictions against indentured servants engaging in business. Colonel William Evans, one of the justices, asked damages for himself of one hundred pounds of tobacco from John Foxhall, and a fine of one thousand pounds of tobacco to the Lord Proprietary, because Foxhall had had business dealings with one of his indentured servants, contrary to the act of the Assembly forbidding this. The court at its October, 1668, session awarded these damages and imposed the fine (p. 125). In a suit for debt which came before the court at its February, 1668/9, session, the defendant Francis Gunby sought to avoid payment on the ground that he was an indentured servant when he had given his bill obligatory to the plaintiff Peternella Chivers, thus claiming the benefit of the Act of the Assembly forbidding servants under indenture from entering into business transactions. The court decided "that the plea by the s<sup>d</sup> Francis in Barre is not sufficient in law", because his attorney did not join in demurrer in due time. Judgment was given for the plaintiff (pp. 423-424). That the provision in the Maryland law forbidding servants from engaging in business might be circumvented by the master is to be seen in a power of attorney granted by the Attorney-General William Calvert to his servant Robert Simmons to buy and sell with all the liberties pertaining to a freeman when acting under the orders of his master (p. 426).

Difficulties with runaway servants frequently came before the courts. The following case doubtless came before the Provincial, rather than the county court, because the penalties involved represented services valued at more than 3000 pounds of tobacco. In this case of Matthias Decosta against his runaway servant, William Loveridge, it was shown to the court at its October, 1666, session that Loveridge had been absent three months and eight days. The court thereupon ordered that he should serve out not only his original term of service but an additional term of ten days for each day he was absent, according to the act of the Assembly. This added thirty months and twenty-four days to the term of servitude, the equivalent of a considerable amount of money (p. 129). In the somewhat similar case of Robert Jones *vs.* Robert Davies, his servant, the latter declared that he was not a runaway as he had been sold by his master by a letter of attorney to another master in Virginia. A penalty of additional service by Davies to Jones was ordered by the court, with the proviso, however, that if Davies proved that he had been sold by Jones, the latter was to make satisfaction to him (p. 130). A suit for damages was brought at the February, 1667/8, court by James Humes, represented by his attorney, John Morecroft, against Henry Robinson and his wife, Dorothy, represented by