

as his attorney. It was urged by Nicholds that the indenture be declared invalid because no consideration was named in it and because the girl had not been bound before a magistrate. The court by a vote of three to two, the Chancellor and the Governor, voting with the majority, held that it was valid and Hester was required to serve out her seven years (pages 122, 137). We do not know whether West waited and married her or not.

Sitting as a Court of Chancery, in September, 1663, an interesting case involving the rights of an indentured servant was heard by the court. Francis Gunby, or Gomby, by an indenture recorded in the city of Bristol, England, had bound himself to Richard Deaver of Anne Arundel County to serve him for four years as a joiner, and to work as a joiner exclusively, and to receive from Deaver a third part of his gains. Gunby complained that he was sold from one master to another, that his indenture had been stolen from him while he was sick, and that the conditions of his servitude had not be respected by his masters. He prays for relief (pages 103-104, 140-141, 192, 236). We do not know the outcome of the case as at the time the last reference is made to it in the records, it is marked "noe reture."

In a case heard on appeal from one of the county courts to the Provincial Court at the September session Councillor Thomas Gerard, who figures as one of the witnesses, gives an interesting picture of the arrival of a certain Captain Hinfield at Gerard's quarters at Mattapony with a number of Irish servants for sale (page 123). A rather horrible example of the cruelty of which the early records show indentured servants were not infrequently the victims, is illustrated in the case of Alice Sandford, a maid servant, who died after a severe beating administered by her master, Pope Alvey of St. Mary's county. The details of the case are especially revolting. The jury of inquest found that she appeared to have come to her death as the result of ill treatment, and at a court held in July, 1664, the jury found Alvey guilty of murder. He craved the "benefit of clergy," however, and after demonstrating his ability to read the "booke," he was "forthwith burned in the brawne of his righte hande with a red hott iron," and released. At the March, 1665, session of the court a certain Paul Marsh petitions the court to require Alvey, to whom he had hired a servant some time previously, to give bond for the latter's safe return, as it was currently reported that in addition to causing the death of a servant for which he was recently punished he had maltreated another man servant so that he died soon afterwards. At the October, 1665, session Mordecai Hammond instituted foreclosure proceedings on a mortgage upon some of Alvey's property. It was necessary that legal delivery of the land to Hammond be proven, and it was in this case that several witnesses testified that delivery was made by seizin, Alvey handing to Hammond a tin funnel, or as one witness described the object, a tin candlestick. We find Alvey in serious trouble again. A short while later at the January, 1666, session of the court, he was indicted and tried for stealing and slaughtering a cow belonging to Colonel William Evans. The court clerk describes the trial in great detail, and does so in a very modern journalistic style. Under the English law then in force the death penalty was provided for such a serious theft as this. For some reason the jury, notwithstanding