

tress, extends over a period of four years, 1659 to 1662, fills many pages of the record, and is worth the reading as the narrative of the efforts of a desperate woman to escape from the toils of fate. Frequent floggings and runaways, concealment by kind-hearted neighbors, starvation in the forest, damage suits by the master against sympathetic planters' wives for harboring her as a runaway, the theft of her master's goods to aid escape, and her arrest and trial, and finally the grant of freedom by an outraged court, are high spots in Sarah's career. But she was not the only sufferer, for a special commission appointed by Gov. Fendall decided that the Kent court had gone beyond its powers, and ordered that each of the justices who had voted to free her, pay damages of 200 pounds of tobacco to Mrs. Bradnox for the loss of her servant, but fortunately did not order the return of Sarah to the Bradnox household (*Arch. Md.* pp. xxi-xxii; *liv*, 167-169, 171, 178-180, 213, 225, 234). The county court should probably have sold her to the highest bidder for her unexpired term of service, and have then reimbursed her master by this amount, and not have granted her unqualified freedom.

What seems to amount to a successful claim as to the validity of a common-law marriage is involved in the case of Giles Tompkinson of Charles County when he and his "wife" were brought before the Charles County Court, November 14, 1665, charged with bastardy. Tompkinson pleaded that at the time there was no Protestant minister in the Province, and he being a "lawfull churchman" they had been legally married by "consent and publication" of their intentions (p. 599). While the judgement of the court is not recorded, that no further action was taken against the couple suggests that a marriage was recognized. Francis Doughtie, apparently the only minister in Charles County about this time, is known to have left there and gone to Virginia a year or two earlier.

*Divorce*, or what seems to have been a legal separation, was obtainable in Maryland during the middle of the seventeenth century upon both parties appearing in court and agreeing upon terms of separation satisfactory to the court and to themselves. On June 4, 1658, Robert Robbins, a somewhat sordid character as later events proved, appeared before the Charles County Court and charged his wife Elizabeth with adultery, but he could not substantiate his charges and was ordered by the court to take back his wife and children and support them (pp. 4, 250). A year later, June 18, 1659, husband and wife appeared in the Charles County Court before Gov. Fendall and John Hatch, the latter a member of the Governor's Council as well as of the Charles County Court, and George Thompson the clerk, and made a declaration disclaiming each other forever as man and wife, which was ordered to be formally recorded (pp. 33-34). A similar case had come up in the Provincial Court in 1656, when a couple had appeared before the presiding justice and another member of that court, and recorded a similar agreement disclaiming each other, the husband making a financial settlement upon the wife, and she agreeing to make no future demands upon him for support (*Arch. Md. x*, 471). It does not seem probable that such a separation permitted remarriage in either instance, but nothing as to this appears on the records. Perhaps of somewhat similar sig-