

provided in his indenture, dated July 27, 1663, calling for a four year term of service. The master claimed additional time because, he said, there was due to him two months and seven days time when Ralston had been a runaway from a former master. The jury gave him his freedom, not only because he had, since his indenture had expired, already served more time than the additional runaway time claimed, but also because Johnson had not entered suit in time to entitle him to the benefit of the act of Assembly under which he sued. The jury, however, found that Johnson could elect either to give corn and clothes, or £10 sterling, as he pleased, but that both could not be claimed by Ralston. Costs were assessed by the court against the master. Johnson then entered an appeal to the Provincial Court, but the county court ordered that Ralston be free unless Johnson prosecuted his appeal (pp. 108-110). The Provincial Court proceedings do not show that Johnson ever prosecuted an appeal.

The court, all the members of which doubtless had indentured servants on their plantations or in their households, seems to have felt that certain attorneys were responsible for unwarranted suits for freedom brought against masters. At the March, 1673, court, it was ordered that "Whereas sevall Attorneyes have undertaken to mañage Serv^{ts} Causes ags^t their Maisters & M^{rs} to th^c M^{rs} & M^{rss} greate charge & dañage It is ordered that no pson Act as Attorney for any Serv^t hereafter, But such as the Court shall appointe" (p. 496). Whether this was really a lawyers' racket as the justices felt, or whether as holders of indentured servants they feared that their rights were being undermined, is left to the reader to decide. As will be seen, certain planters seem to have been dealers in servants. In two instances servants were given by their masters in exchange for land (pp. 147, 169). A number of servants with foreign names, especially Dutch, appear on the record.

There are a number of suits for damages by masters against other householders for having harbored runaway servants, brought under the provisions of the act of 1671. Under this law the harborer not only was obliged to pay damages to the master, but also a fine to the Lord Proprietary and a reward to the informer. One suspects that stories, often only too true, of masters' cruelty to servants influenced humane "entertainers" in harboring the runaways. Captain Hugh Oneal at the March, 1672/3, court, recovered from John Morris and Hugh French 400 pounds of tobacco damages and 1020 pounds for costs of suit, for entertaining for several weeks and refusing to return to her master, Rachell Cooke, Oneal's maid servant. No testimony is recorded, but 400 pounds damages and costs were awarded to the owner (p. 495). One wonders whether this was a bachelor's establishment and Rachell a comely lass. John Courts, at the August, 1674, court, entered suit against John Hartwell for himself and on "behalf of the Lord Proprietary". It was shown that Hartwell had entertained a runaway man servant at his Portobacco plantation for four days. He was fined 1500 pounds of tobacco, 500 pounds a day for three of the days, one-half to go to the master and one-half to the Lord Proprietary (pp. 581-582). At the June, 1673, court, Alexander Smith sued a servant's former owner, no less a person than John Allen, the then sheriff of Charles County, who had sold him a servant with five years' time to serve, whom the court had set free