

blood in the room & great wounds in her back"; another witness that he had seen her whipped and put in irons. The jury found for Elizabeth, and the court gave judgment for freedom and costs of 420 pounds of tobacco to be paid by Emanson (pp. 234-235). The legal point seems to have been that had she been whipped for running away, the time in which she was absent would not have been added to her original term of service, but if she had been whipped for other offences, runaway time might have been added. In another case involving cruelty to a maid servant, Jonathan Marler, the master, sued a neighbor, Thomas Hays. Marler declared that Hays, at the plaintiff's plantation "with one how [hoe] helve did Strike and beat a Serv<sup>t</sup> of him the said Jonathan named Eliz<sup>a</sup> Thompson . . . down to the Ground w<sup>th</sup> his foote and Shoe did kick her Soe th<sup>t</sup> he lamed her and Caused her legg w<sup>th</sup> the Bruise to Swell and afterwards break out into a Soare." Marler asked damages of 500 pounds of tobacco and payment to a "Chyrurgeon for the Cure of the said legg" as Elizabeth had become incapable of service. The court, doubtless because the chirurgeon, John Lemaire, testified that Elizabeth had told him "that th<sup>e</sup> sore bread of it Selfe", ordered a nonsuit with costs to the plaintiff (pp. 432-433).

At the June, 1669, court, two servants, unnamed, were presented to the court as having run away, and were ordered, respectively, twelve and ten lashes. One of these was presented by Nicholas Emanson, the innkeeper, who figured in the case of cruelty towards a servant, as just narrated; the other was presented by John Caen. No details are given; they were doubtless both runaways (p. 196). They were perhaps brought before the court for sentence, so that, if ordered by the court to be whipped as runaways, their lost time might later be added to their specified indenture time of service.

Instances are recorded where very young children were bound out until they became of age. At the June, 1673, court, Peter Macknemillion (Mackmillion), the young son of George Macknemillion who had married Grace Carr (p. 221), was bound out to Peter Carr, his "godfather," until he came of age, and provision was made for the care of the father's estate (p. 497). It is of interest that Peter Carr, who died in 1683, left a legacy to Peter. In two instances land was exchanged for a servant. John Lambert, a planter, on March 10, 1667/8, deeded to another planter, John Godshall, one hundred acres called "Hog Quarter" on the east side of Nangemy Creek, the consideration being a servant named Thomas Porch, for which consideration Lambert "doth Acknowledge himsef Satisfied Contented" (pp. 147-148). Thomas Stone and his brother, John Stone on August 8, 1668, conveyed to Thomas King 500 acres on Nangemy Creek, the consideration being two servants and 7000 pounds of tobacco (p. 169).

#### LAND

*Deeds for land* in the several counties might be recorded, according to the choice of the purchaser, either in the Provincial Court at St. Mary's, or in the court of the county in which the land was located. Nonresidents usually made use of the Provincial Court, while residents of a county nearly always had their deeds enrolled in that county. A very large proportion of all deeds and other land records were recorded in the counties.