

The rumored cruelty of masters, sometimes confirmed by the courts, inclined people to sympathize with runaways, even when allowance is made for the admittedly low quality of those who ran. At this time there were not more than a handful of such cases. George Beckwith, who appeared in court on December 10, 1672, with his servant John Owen, and made oath that the man had absented himself for fifty days, asked the benefit of the act of Assembly. "and the Court Computing the time, ordered the said John Owen to serve the said George Beckwith faithfully untill the last of January next & then to be free." (*post*, p. 50). It is assumed that "January next" meant January 1672/3, so that Owen had to serve only day for day. On the other hand, two other "servants unto David Driver, being brought by their said Master into Court, and he fully making it appeare to the Court that they had Runaway from him thirty six days apeice, It is by the Court ordered that they serve their said Master one yeare a peice" (*ibid.*, p. 92). This figures out to almost exactly ten days for one. In another case, a runaway, being caught, was ordered to serve seven months, though there is no word on how long he had absconded himself (*ibid.*, p. 179). One man who was charged with permitting servants to pass without their master's permission, was ordered to pay 6/8, and on paying it, he was discharged (*ibid.*, pp. 39, 44). One Thomas Chew, lawful servant to John Atkey, departed his service, and, after seven months, came into the hands of William Boyden. When Atkey sued Boyden for 8000 pounds of tobacco, the jury found for the defendant and awarded him 997 pounds for his costs. Though this decision said nothing about the servant, it is presumed that he went free (*ibid.*, pp. 63-65).

One of the few crimes committed by servants was the murder of John Hawkins by his servants, already referred to (*ante*, p. xviii). Because the men were servants of the man they killed, the case was petty treason instead of murder. Three women, presumably servants though not so described, were charged with having bastards and killing them: of the three, one was ordered to be hanged and presumably was hanged; one was acquitted by the court without a jury, and one was declared by a jury to be not guilty (*post*, 9, 20, 33). One woman, Amy Markes, was presented by the grand jury for having a bastard which apparently she did not kill. The mere having a bastard was a crime, and the penalty for it, when the father was not disclosed, was additional servitude for the mother to recompense her master for the trouble she had put him to (*Archives*, I, 441-442). Amy Markes was presented on the strength of an informer's testimony, but when she came to trial, no one appeared against her and she was acquitted by proclamation (*ibid.*, 30). There were at this time no suits for damages brought by the master of a woman servant against the father of the bastard.

The case involving Robert Harper shows that now and then there was a servant much above the type fit only to work in the tobacco field. Harper was a servant of Garrett Vansweringen "& Skilfull in administring phisick and pro-sesseing the same" (*post*, p. 528) Roger Shehee "being Sick & languishing of various and divers distempers of body" arranged with Vansweringen to have the physician-servant treat him, and he promised to pay the master "what for