

solely possessed thereof, & is departed this Province & left Mr Ladd his Attorney to whom he hath given power to dispose off the Said Land & also of a servant left with him which did belong to the estate of the Orphants of W^m Cole." Upon these premises, Mrs. Younger, who was executrix of her husband, Claw, humbly begged "that the said writings may be cancelled & the Land & Servant remaine in whom in Equity it doth belong". When the petition was read in court, April 23, 1677, Boteler said that no consideration had ever been paid by him to Younger, although a valuable consideration is the very life of a contract. The Court granted the petition as prayed. Attorney Ladd, one of the commissioners for Calvert County (*Archives*, XV, p. 37), who was apparently an attorney in fact only, was ordered to appear at the next court and to bring Younger's estate with him (*post*, pp. 471, 404). The Court, "being willing to doe right to the said Sarah", ordered the sheriff of Calvert to get from Ladd the deed from Boteler to Younger, and the supporting papers, and to put all the material in the Secretary's office. Ladd refused to deliver the papers until the Court gave him a receipt to protect him against Younger. This done, he delivered some papers "in a small box vizt. A patent for 500 Acres of land under the great seale of this province . . . granted to Wm Claw, One deed of sale of the said Land by Charles Boteler to the Said Alexander Younger dated the 5th of December 1676 . . . [a] receipt for three yeares rent for the said Land dated 13th of December 1676. Sarah Claw her Letter of administration upon the estate of the Said Wm Claw, dated the 19th November 1675" (Liber NN, p. 367). What happened after that, is not sure. The rascally husband Younger had departed the Province months before.

SERVANTS

Most of the cases dealing with servants came up in the county courts and were heard there finally, but they could appear and did appear in the Provincial Court, despite the small sums of tobacco involved. On April 26, 1677, the Court said, formally, that it was "the judgment of the Court here That Servants under age may be adjudged here what age they are of, aswell as in the County Courts." (*post*, p. 475). And the Court did so adjudge several times. Clerk Blomfeild's servant, Isaac Vickers, was judged to be fourteen years old. Three servants of Sheriff Vincent Lowe were judged to be eleven or twelve years old. Others were not much older (*post*, 80, 126, 360, 424, 475). Most of the servants were white men and women from the British Isles, to judge by their names and their stories, but there were negroes among them, too. There are several cases here where the servant petitioned the Court for his freedom, and he—or she—always got it. Persons held to servitude, whether the holding was just or unjust, had to bring up their situation by way of petition, since they had not the capacity to sue at law. James Hall and Rowland Soly told the Court that they had bargained with Captain James Allison, master of the ketch *Betty*, from New England, for their passage to Maryland, and that of the forty shillings agreed on, they had paid thirty, and had arranged to pay him 500 pounds of tobacco. They said they had offered the tobacco, but that the Captain had refused to accept it. Instead, he had sold them to