

tobacco damages should pass against him, Johnson was discharged from it (*ibid.*, f. 880). Lieut. Col. Henry Darnall was a member of the Council of the Province, a commissioner of Calvert County and chief judge of the county court when he was present, and he had been sheriff of the county until March 16, 1679. Why he was willing to assume the judgment passed against Johnson is not known: he had not previously appeared in connection with this case.

When, sometime in 1676, John Pott of Calvert County died, he left a daughter Bridget and a wife Hannah. Whether Hannah was the mother of Bridget is not known. As to property, he left a tract of land known as Mt. Pleasant, and in his will he gave 200 acres of it to daughter Bridget and the remainder to his wife for her life. Widow Hannah promptly married Richard Edwards, and daughter Bridget married Daniel Cunningham. Because it was not possible to draw the line amicably, Cunningham demised his wife's part of the land to Ninian Beall for three years. On the same day on which Beall entered into the land by virtue of his lease, James More also entered and ejected the new leaseholder. Whereupon Beall sued More for 40,000 pounds of tobacco. On October 8, 1677, the Court, in the usual way, ordered that Edwards and his wife, who had been Hannah Pott, be admitted defendants, and ordered also that there be a survey made, with a plot and certificate. On February 14, 1677/8 Charles Boteler, surveyor for Calvert County, told the Court that he had gone upon the land as he was ordered to do, and that he "could not finde any bounded or lined tree of the same land or other known marke to begin the Survey upon, so that the same land I could not Resurvey nor the lines thereof runn out as by the same order I was comanded." At the suggestion of Christopher Rousby, Cunningham's attorney, made in the presence of George Parker, Edwards's attorney, the Court ordered Surveyor Boteler, "to lay out that tract of land which lyes next above the land in question formerly Surveyed for John Pott before the tract in question [Mt. Pleasant] was Surveyed, that the bounds of the land in question may be found out" and so that the Court could do "what to Justice shall appertaine" (*post*, 234-236). June 11, 1678 Boteler made his second return. By running one line he had been able to find the beginning point for Mt. Pleasant, and to lay out its courses. He said that the northern part contained 200 acres, which is the amount John Pott had given his daughter, and that it included fifteen acres of cleared land now occupied by Edwards, but that it did not include any of the houses belonging to Mt. Pleasant. The Court ordered that the parties hold their tracts of land according to Boteler's plot, and that each party pay his own charges (*post*, pp. 449-452). In some of these land cases the phrase "as to Justice apperteineth", is not used, but it seems clear that the Court, in considering all of them, was moved by that equitable desire.

SERVANTS

In the Province of Maryland in the late seventeenth century, as indeed, in the English-speaking world generally, servants were sometimes people, to be protected or prosecuted as the case might be, sometimes property, to be bought or sold, as boats or animals or pewter chamber pots were. People were servants