

found upon survey, to contain only 375 acres. He asked now that the old grant be vacated and that he have a new one for the number of acres really found. The petition was turned over to the Provincial Court, and the Court ordered the surrender of the old patent and the issuance of a new one for the 375 acres (*post*, 118).

With only this one exception all the land cases at this time were of ejectment to try title, and they all went according to an established pattern. The holder of the title, relying on that title, leased the land to someone, though he might not have possession of it. The lessee entered upon the land and was possessed of it. Later, perhaps even later the same day, the ejector entered upon the land, ejected the lessee, and did other enormities to him. The ejected lessee then sued the casual ejector. The casual ejector came into court, pleaded not guilty, and prayed a jury trial. The Court ordered that, unless the tenant in possession or those under whom he claimed appear in court, and made himself or themselves defendant, "and by rule of Court confesse the lease Entry & Ejectm^t & insist only upon the title, the def^t . . . will confesse judgm^t & possession will be delivered accordingly to the plaintiffe." (*post*, 403). The Court further ordered, usually, that a survey of the ancient boundarie be made by the county surveyor in the presence of the county sheriff and a jury of the neighborhood. A plot and certificate must be made and returned to the Court, so that it might "Doe therein what to Justice appertaines," (*ibid.*, 404). The surveyor returned an inquisition indented, which gave the names of the jury and the bounds they ordered for the tract. And the sheriff and the jury and the surveyor signed the return. If the defendant would not accept this, he pleaded not guilty and had a jury summoned. If the jury found the defendant guilty, the Court said that the lessee recover what was left of the tract he had leased, and, usually, the costs to which he had been put. There were a dozen or more cases now that followed this pattern. As he could do, and so often did do, the clerk of the Court grouped many of these cases together (*see* Ejectment, Action in, *post*).

SERVANTS.

About servants there is nothing new now, though some of what does happen is interesting, legally or socially. Or humanly. There is not much bringing in of servants, at least so far as such importations came before the Provincial Court. The cost of a servant's passage was £5 sterling (*post*, 108), which was just half the cost of a free person's (*Archives* LXVIII, 157). Servants were bought and sold like any other commodity: sometimes the consideration was sterling, but it was more likely to be tobacco. Sometimes a servant passed from one master to another for goods or services. James Lewis of St. Mary's County, had some personal property in Somerset County which he wanted to have brought across the bay. He had a gelding worth 2000 pounds of tobacco, 690 pounds of beef, 95 pounds of pork, and four and a half barrels of corn. So he made a deal with Miles Grey, who was caring for the horse. Lewis agreed to deliver to Grey a woman servant named Bridget "for the time she had then to serve the said James being about five yeares" (*post*, 82-83). For Bridget's five years of service, Grey promised to pay Lewis a mare and a colt and a hun-