

March 10. 1696

Richard: Gull. being his servant boy viz. Philip: Broady, before the Justice in Court sitting, complaining that his sd servant without any occasion given, had run away from his service: eight days, the sd Broady being by their worps examind did confess to the same. whereupon the Court Ordered that the sd Broady should make satisfaction to his sd Master according to Law in such cases made & provided. &c.

To their Majesties Justices of the Peace for Somerset County.
The humble Petition of Robert Slott.

Sheweth that whereas your Honor by your worps Order in your Court last past was set free from John: Starratt, and hath been at liberty by the sd Order till the 19. day of February last past, was taken by virtue of a Writ and Cui from under the hands and seals of Mr Thomas Newbold and Mr Samuel: Hopkinds, and carryed away by Mr Henry Bell Constable to the sd John Starratt, Contrary to your worps Order so your petitioner humbly prays your worps would be pleased to let your Honor know whether he is a freeman or not. And your Honor as in duty shall see

the above sd Petition being read and considered, this Court has confirmed the verdict of the Jury as appears upon Record. Vid: Recd. Lib. B. W. fo: 114.

Whereupon Mr James: Sangster in Open Court Ordered that these two following papers should be recorded. he being Attorney for Jno: Starratt Esq: Slott.

Somerset County It. } Slott p't } Reason why judgment ought not to be entered agt y' d'ft.
} Starratt d'ft.

Sheweth the p't by his Petition to their Majesties Justices of this County last Court did shew that said Slott p't did complain that he the sd Slott had served the sd Starratt his Master. the full term of time of five years and then and there did demand his freedom according to Custom. the sd Starratt by his Attorney James: Sangster comes and says that the sd Slott from the d'ft is not free, it becaus the said Slott was put an apprentice with his own consent by the sd Slotts father, till he should be of the years of 21 and wholly to the sd Starratt then in the Kingdom of Ireland, and there did serve some part of his said time before he was to this Province transported. Quere whether an agreement made in their Majesties European: Kingdoms may not be good in his plantations in America, if good the said d'ft hath a double right to the p't, first by the Parents Gift, and then secondly by the Servants full consent as will more plainly appear (if not good) then the said Slott at the expiration of his transported time was free according to the Customs of the County, he traffick and bind him self without his Parents consent, and if he was free he at he may as well now more freely part with his Master than any other person especially being a tradesman and where the sd Slott had had his up bringing. And whereas the sd Slott upon hearing of his sd petition, did alledge that the sd Starratt his Master, did force and Compell the sd Slott to set his hands to an Indenture, which was the Jours joyned between y' p't d'ft, which Indenture was then in Court produced, and under the hand and seal of him the sd Slott and was to be his debt and duty before Mr Edmund: Howard one of their Majesties Justices of the Peace for this County and by him attested in Open Court upon the do be the voluntary act and deed of the sd Slott, without any threat, force or compulsion, now the Law says, voluntas non est injuria: also Quere whether the bare d'fauls allegation without proof or shadow of Circumstance be more sufficient Law, than the positive Evidence of a wor Magistrate in the face of Court & Jury, and finally the sd Slott was freed the 23. of January until the 24. of Feb: before he did bind him self anew, and if had not been free by the Maj: sd