

cially in the case of the unindentured class, were of frequent occurrence until the Assembly in 1654 passed an act requiring that all indentures be recorded and that masters bring all servants without indentures into open court to have determined in advance their age and remaining term of service, so that these facts be made a matter of record and the servant formally bound over by the court (*Arch. Md. i*, 352-353). Under this act servants brought into the Province without indentures, if over twenty years of age, were to serve four years; those between twenty and sixteen, six years; those between sixteen and twelve, seven years; and those under twelve until they attained the age of twenty-one years. The acts of 1661 and 1662 made slight changes in the duration of service dependent upon age (*Arch. Md. i*, 409, 443-444, 453-454). In the case of servants who had entered the Province with indentures, the term of servitude was of course as provided in these contracts. Upon the expiration of servitude both classes were entitled to receive from their masters one complete outfit of clothes and a hat, an axe and a hoe, and three barrels of corn, as well as fifty acres of land; but by the terms of an act passed in 1663 the allowance of land ceased to be obligatory. The court proceedings, which record large numbers of servants brought before the court to determine the age and the duration of servitude, are useful as a rough guide to the number of servants entering the Province.

Other entries to be found on the court proceedings are sales or assignments of servants from one master to another for the remainder of the term of servitude. They seem to have been usually conveyed by a bill of sale similar to that used in the conveyance of livestock. The value of a good servant with several unexpired years of servitude was considerable. In a case before the Charles County Court in 1664 the figures varied between 3000 pounds of tobacco (about £20) and 2000 pounds (pp. 455-456). In one instance there is duly recorded the exchange of a servant for a boat, and in another a servant for a horse (pp. 84, 360).

Although a small minority of indentured servants were upstanding, ambitious, or even educated young people of the better class, who for their own protection had been bound over to relatives or friends in the new world, the great majority were recruited from the lower classes of society and required a tight rein. While most of the servants without indentures who were shipped to the colonies to be sold on their arrival there were of this latter class, a certain number of them were political prisoners, such as Irish Catholics deported by Cromwell and English Royalists, and not a few were boys and girls who had been kidnapped in English shipping ports and sold to captains for transportation to the colonies. Instances of cruelty and neglect by masters were only too frequent, but many of those who sought to gain their freedom for this reason in the courts had little legal grounds on which to ask it. The county courts had to watch their steps carefully in granting freedom to servants, for we will see in at least one case, that of the unfortunate Sarah Taylor, that a higher tribunal compelled the Kent County justices who had granted freedom on what was deemed insufficient grounds, to reimburse her master and mistress (*Arch. Md. liv*, 234).