

incident to the civil wars, the Governor seems to have appointed sheriffs directly. At a Kent court held August 12, 1652, at Mr. Francis Lumbard's house, this gentleman was appointed sheriff by that court (*Arch. Md. liv*, 8). In February 1652/3, Gov. Stone sent through his Attorney-General, Thomas Hatton, a commission to Thomas Bradnox as Sheriff of Kent (*Arch. Md. liv*, 21), and immediately following the Fendall "rebellion", Gov. Philip Calvert, November 23, 1660, appointed new justices for Kent, and at the same time made Anthony Griffin sheriff (*Arch. Md. liv*, 199).

Down to the year 1666 it was not unusual for the offices of sheriff and county clerk to be combined. Abuses had apparently arisen for, as previously stated, in that year the Assembly passed an act prohibiting thereafter the same individual from holding both offices, and at the same session another act was passed prohibiting either the sheriff or the clerk from acting as an attorney in his own court (*Arch. Md. ii*, 132-133). The fees of sheriffs were regulated by acts passed by the Assembly in 1642, 1650, 1654, 1657, and 1669 (*Arch. Md. i*, 163, 289, 350, 360; *ii*, 222).

On August 22, 1655, we find the Provincial Court, then composed of the Commonwealth commissioners, appointing Samson Waring *High Sheriff* and James Veitch *Sheriff* of St. Mary's, as well as of the two now obsolete counties of Patuxent and Potomac (*Arch. Md. iii*, 318). In 1658 Nicholas Gwyther was also appointed sheriff of two counties, St. Mary's and the recently established Charles County (*Arch. Md. xli*, 86). Veitch was obviously a *deputy sheriff*. In September 1668 the sheriff of Somerset County recorded the appointment of a deputy sheriff to assist him in his duties (*Arch. Md. liv*, 724), and in 1671 an act was passed prohibiting deputy sheriffs from acting as attorneys in their own court (*Arch. Md. ii*, 322-323). The court crier is mentioned several times, once when a certain Edward Swettnam, June, 1676, was sworn in as a deputy sheriff, and at the same time appointed crier by the Kent County Court, and criers are also referred to in Talbot County (*Arch. Md. liv*, 341, 578, 595).

The sheriff was liable for damages and mistakes in executing the duties of his office. There are a number of suits against sheriffs for damages, where in civil cases that officer had failed to produce in court defendants or witnesses for whom a warrant or writ had been issued, or where he had allowed to escape from his bailiwick a debtor upon whose personal property the court had ordered execution (pp. 13, 83, 184, 385, 414, 459, 496; *Arch. Md. liv*, 153, 395, 403, 420, 460, 467, 476, 563, 577, 596, 589). The law of 1671 provided that in cases where the sheriff was a party to a suit, or where for any reason he was subject to arrest, the coroner was to act against him (*Arch. Md. ii*, 292-294).

Until the year 1666 the office of *coroner* in Maryland seems to have been usually, if not always, combined in the same individual with that of sheriff, or sometimes with that of constable. The Assembly that met in March 1638/9 passed an act entitled "An Act for the appointm<sup>t</sup> of Certain Officers", which, owing to a disagreement between the Assembly and the Governor as to the method of initiating legislation, like all the other acts passed at this session, failed to become a law, but serves as a guide to the way in which the handling of civil and legal affairs was tending. This act provided that any inhabitant,