

seems likely that Gibbon had acted as clerk since his predecessor had gotten into difficulties about a year before Gibbon's formal appointment in 1672. Nowhere, however, in the court records do we find him designating himself as clerk or signing himself as such. He appears as a witness to sundry legal papers during the years 1671-1674. The testamentary records show that Gibbon died intestate and that his estate was administered upon November 6, 1674, by Benjamin Rozer. As told in the preceding paragraph, it was at the November 10, 1674, session, that Henry Bonner received the curiously phrased appointment as clerk to the justices "for drawing warrants & hues & Cryes & Mittimus's or any such like businesse", which undoubtedly meant that he was made acting clerk, with limited authority and functions, immediately following Gibbon's death. Gibbon seems to have been a more efficient clerk than Boughton or Bonner. There are fewer obvious omissions in his entries in the court proceedings. There seems to be no reason to believe that he was in Maryland before his appearance in Charles County early in 1671. It seems probable that he had recently come over from England with the promise of office, an office he was destined to hold for less than three years before his death in the autumn of 1674. He purchased in September, 1673, two small plantations of 150 acres on Portobacco Creek for 6500 pounds of tobacco, which he sold six months later to Benjamin Rozer for 5600 pounds (pp. 540-4). He doubtless lived in the town of Port Tobacco.

#### THE SHERIFF

The *sheriff*, or high sheriff as he is occasionally called to distinguish him from an under sheriff or deputy, was an important county official. During the period covered by this volume the sheriff of each county was chosen annually by the Governor from three names nominated to him by the justices of the several county courts. The sheriff received no salary but was paid by fees, and the office was quite a profitable one. The duties and powers of the sheriff have been fully discussed by the editor in a previous volume of the *Archives* (LIII, xxxix-xl). The sheriff at this period was prohibited by law from acting as attorney in his own court. One of the justices, Henry Adams, who had been appointed sheriff April 20, 1665, and sworn in on June 13 (*ibid.* 572-573), still held office when this record begins. He appointed Samuel Cressey, the attorney, his under sheriff or deputy sheriff. He was succeeded as sheriff by another justice, Thomas Mathews, who was sworn in at the June, 1666, court, and appointed Thomas Allanson his under sheriff (pp. 21-22). A sheriff could not sit as a justice. Benjamin Rozer received his appointment as sheriff April 15, 1667 (*Arch. Md.* V; 4) and was reappointed April 1, 1668 (*ibid.* 27). These court records show that he continued to act as sheriff during the years 1669, 1670, 1671, and early in the year 1672, although no actual record of his annual appointment after 1668 can be found. Jonathan Marler and Samuel Cressey appear as under sheriffs in writs dated 1668 in the Rozer period (pp. 105, 139). It may be added that Rozer, who was followed by John Allen in 1672, was reappointed sheriff September 8, 1674, serving in that office until several years afterwards (*Arch. Md.* LI; 131, 204). Allen, recently a London