

the court of his county, under penalty of 3000 pounds of tobacco, or be at the same time, clerk of the county and sheriff (*Archives*, II, p. 132). When the sheriff was party to a suit, the coroner took the action which the sheriff normally took (*Archives*, LXV, p. 43, 212, 216; *post*, 402-403). On December 2, 1676, the Court, with one eye on the act of 1666 forbidding sheriffs to practice in the court of their own county, was of the opinion that sheriffs could be admitted attorneys before them, provided that the parties concerned were not resident in their counties, and, on that same day Sheriff Colonel "Vincent Lowe was admitted & Sworne One of the Attorneys of this Court." (*post*, p. 338), But that active gentleman had already been practicing before the Court for a long time, and he did not practice thereafter.

On May 26, 1676, "The buisness of the Assembly occasioning the members of the upper house to attend, the Court adjourns till the morrow eight of the Clock." (*post*, p. 304). This imperative business was the impeachment of Charles James, sheriff of Cecil County, by the Lower House, and his subsequent removal by the Upper House. At ten o'clock on the morning of May 26, Chancellor Philip Calvert, Col. Jesse Wharton, Col. Sam Chew and Lieut-Col. Thomas Taylor, justices of the Provincial Court, sat as the Upper House and heard the impeachment. He had committed perjury against Abraham Wilde, one of the justices of Cecil, and had suborned three other men to perjury. He had forcibly taken from several men "one bagg of Writeings . . . to the Vallue of 100000 Tob" and had kept it. A hundred thousand pounds of tobacco was a lot of money. One of these men he had imprisoned falsely for fifteen days. He had uttered "false Scandalous Seditious mutinous and Rebellious words that he the said Charles James was now Lord Proprietary". James was ordered to appear for his trial, and the Lower House appointed their managers in the case, Kenelm Cheseldyn, by now attorney general, and Col. William Burges. After the trial, "This [Upper] House doe Judge it fitte that Charles James be disabled to beare anie publick office or Employment and have therefore desired his Lo^p to Call in the Said James his Comission for Shff of Caecill Countie Which his Lo^{pp} hath accordingly done" (*Archives*, II, pp. 490, 496, 499). With this, the Lower House "are very well Satisfied with the p^rceedings ag^t Charles James."

There were no criminal cases at this time, and no grand juries summoned, but many of the civil cases were tried by petit (or petty) juries. When the defendant put himself upon the Country and the plaintiff likewise, or when the defendant prayed that the matter be enquired into by the Country and the other party likewise, it would be commanded the Sheriff of St. Mary's County that he cause to come there "twelve &c." The phrase for the calling of a jury was never written out in anything like fullness, but the result was the same. The quality of the talesmen was presumably not much higher than it had been, but there are now no known drunkards or jailbirds among them (*Archives*, LXV, p. xvi). Besides these trial juries, there were juries called to partition land. Two gentlemen, William Coursey and Philemon Lloyd, were ordered to take with them "twelve free & legall men" of the county, to go to all the lands and tenements involved, and to divide them into two equal parts. This they did,