

Parker ought not to have another execution. When the justices had examined Taillor's plea, they said that it was "sufficient to retard the said George Parker from haveing any other or further Execucon agt the said Tho: Taillor for the costs aforesaid Therefore . . . the said plaintiffe shall take nothing by his writ of scire facias but that the said Defend^t go thereof without day" (*post*, pp. 287-288). This time the costs were in favor of Taillor: he received a judgment for 888 pounds of tobacco.

Attorneys and the Court clerk, justices and the attorney general, even the chief justice himself, could, when they appeared before the Court, plead the "libertyes and privileges &c". What those privileges were is still uncertain, but, when the usual short phrase is expanded to the "Customes & Priviledges &c of the same Court", it can mean only that the pleader had them, not in his own right, but because he was an officer of the Court. To plead the liberties and privileges did not of itself ensure success, for an attorney and even one of the justices, being defendants, lost their cases (*Archives* LXVI, p. 457). The only thing common to all the cases when the plea was made is that the person making it appeared in proper person and not by attorney.

The county sheriff continued to be more important than he is now. He was much more the representative of the whole county than the county commissioners were. One of the justices of the Provincial Court, Thomas Taillor, was at the same time sheriff of Dorchester County, and another, Benjamin Rozer, though he was no longer a sheriff, had filled both offices from his appointment to the Court in April 1677 to September 1678, when William Chandler became sheriff. There are two cases in which a sheriff came into court as an attorney. Thomas Long, sheriff of Baltimore County, appeared, but he may have been an attorney in fact, rather than at law, and moreover his business before the Court concerned his work as sheriff (*post*, p. 285). Vincent Lowe, brother-in-law of the Proprietary and sheriff of Talbot County, who had long been practicing before the Court, was formally admitted to do so only on December 2, 1676 (*Archives* LXVI, 338). At this time, though he continued to be sheriff, he was attorney in a case before the Court, and his client received a judgment for more than 5000 pounds of tobacco (*post*, pp. 195-196). The old rule of English law, by which, when a sheriff was party to a suit, whether in his official capacity or as a private citizen, the coroner of the county did what the sheriff would normally have done, was put to use at this time (*post*, p. 430). In June 1678, Sheriff Jonathan Sibrey of Cecil County had returned a *cepi* in the case of Edward Pynn *v.* George Oldfeild and his wife Petronella, but Oldfeild did not appear in court. Accordingly it was "ordered that scire facias issue to the Coroner of Cecil County to be directed, that by good & lawfull men of the County aforesaid he make known to Jonathan Sibrey Sheriffe of the said County that he be here in October Court next, to shew cause if any he have, why judgem^t should not pass ag^t him" because of Oldfeild's failure to show up (*post*, p. 430). What adds a little to the human interest in this case is that Plaintiff Pynn was Sibrey's subsheriff. Sheriffs were indeed held strictly to account. More than once sheriffs who had not returned their writs were fined 2000 pounds of tobacco to his Lordship. This happened October 2, 1677 to