

November 23, 1680, and, in that case, the Court opened with one justice, and was adjourned more than once because of the lack of enough members. The Court could not hold a session without at least three justices (*Archives* III, 546). Absent judges could be fined forty shillings, but there is nothing to show that these fines were ever exacted, or that, if they were levied, the judges really had to pay them.

Nicholas Painter continued to be clerk of the Court and also clerk of the Secretary's office and register in Chancery. He continued in office until at least March 1, 1681/2, though his performances were no better than they had been, and he piled up error on error. He called a man William, when he must have meant Thomas (*post*, 401), or wrote Timothy instead of Lewis (*post*, 364).

As to the attorneys before the Court, they, too, were much as they had been. Only one was sworn in, Richard Boughton, on October 14, 1679 (*post*, 74). He had been sworn in earlier, on February 13, 1666/7 (*Archives* LVII, 146) and it does not appear that he ever came to court in behalf of clients. He is described as an Anne Arundel County gentleman, but he seems to have been more than that. A Charles County man, he became secretary of the Province on February 16, 1665/6, and at the same time member of the Council and judge of the Provincial Court (*Archives* III, 545; XV, 7, 19). On December 23, 1667 he was sworn in as clerk of Charles County (*Archives* V, 21). A little more than a year later, on March 30, 1668, he was elected to the Lower House from Charles County (*Archives* LI, 326), and on April 13, 1669 he took his seat (*ibid.* II, 156). On April 28, 1674 he was sworn in as clerk of Anne Arundel County (*Archives* XV, 35), and, almost at once, May 19, 1674 he became clerk of the Upper House and of the Council (*Archives* II, 346).

There was at this time a case of the disbarment of an attorney duly admitted. Justinian Gerard "having in this Cause filed his bill against the deft [Henry Bonner] being one of the attorneys of this Court, and the said Deft refusing to answer thereto, Itt is Ordered that the same deft be debarred of his priviledge as an attorney of this Court", and that defendant Bonner be subjected to a writ of *Capias* (*post*, 401). This had not happened for eight or ten years.

As usual, a very few of the attorneys had most of the cases. The most active were Christopher Rousby, Robert Carvile, Robert Ridgely and George Parker. Kenelm Cheseldyne, who was his Lordship's attorney general until he was replaced on October 4, 1781 (*Archives* XVII, 33) by Thomas Burford, had more than forty cases in his own right, in addition to those he handled as attorney general. George Parker and Christopher Rousby had most of the cases involving English merchants.

The sheriff, especially the sheriff of St. Mary's County, was as important as he had been. Since his chief function here and now was related to the Court, he did not have to attend to his executive duties so much. He was the custodian of persons, though that custody did not mean, generally, the close confinement of a jail (*Archives* LXV, 471, 548). But a prisoner had to stay within the bailiwick of the sheriff to whom he had been committed, and he had to stay where the sheriff could find him. If the sheriff told the Court that he had taken the man, and then did not produce him where and when he was supposed