

to be, he was amerced 40 shillings unless he produced the man (or the woman) next court. A sheriff had also to execute attachments. John Paler recovered, by a *feri facias* from the Proprietary, the sum of 2388 pounds of tobacco from the goods of Thomas Robinson, in satisfaction of a debt. Sheriff Gerard Slye had that amount of tobacco in his hands, but he converted it to his own proper use and so defrauded John Paler. Paler thereupon sued Slye for 7000 pounds of tobacco, and the jury, being called, came and, on their oaths, found that Slye was guilty as Paler had claimed (*post*, 264). By this time Slye was no longer sheriff of St. Mary's County, though he was still, as he had been, a member of the St. Mary's County court. Sheriffs were custodians of persons: they were, even more importantly, collectors of the Proprietary's dues and of the county taxes and revenues.

Although the Provincial Court was the chief court to hear writs of error or appeals from the county courts there were few cases heard except originally. In 1678 the Assembly had provided that the differences between writs of error and appeals be substantially removed (*Archives* VII, 71), so that new trials on appeals should not be heard in the upper court. There were four cases involving writs of error and seven appeals, although not all came up to trial now. John Lemarre and George Godfrey had a common boundary, and they had the common troubles over it. Godfrey sued Lemarre in the Charles County court, on a plea of trespass on the case, on August 12, 1679. He claimed that Lemarre had come onto his land and had cut down eight trees. The county court awarded Godfrey 3000 pounds of tobacco. Lemarre said his patent was older than Godfrey's, and he asked for and got a special warrant to have the boundary resurveyed (*post*, 218). The surveyor said there was damage on both sides, but who did what to whom he knew not. Later, Lemarre said Godfrey had cut three trees on his [Lemarre's] land (*post*, 286). In the Provincial Court, Lemarre had much the better of it. The judges revoked Godfrey's judgment for 3000 pounds of tobacco and awarded Lemarre costs of 1991 pounds of tobacco. In Lemarre's suit against Godfrey, the jury and the Court said Lemarre should have only fifty pounds of tobacco from Godfrey, "one of the said trees being dead and the other Two being soe bad that most part of them Could not be made use of" (*post*, 286). But they went on to award Lemarre 3652 pounds of tobacco costs of suit. Twenty years later much or all of Lemarre's land had escheated to the Proprietary and was regranted (Charles County Rent Roll, *sub* John Chandler).

The case of Blangey *v.* Harris came up to the Provincial Court on appeal from Kent County Court on a plea of debt (*post*, 296-300). Desborough Bennet, for whom Mrs. Blangey was executrix, had in his will left a two-year old heifer to his servant Thomas Harris, and another heifer to another servant, Susanna Hortley, to be delivered six months after his death. The two servants married, but the widow Bennet, now Mrs. Blangey, had not delivered the heifers. Accordingly, the legatees sued Mrs. Blangey and her husband in the Kent County court. Blangey pleaded that it was a legacy, and therefore not to be paid until after all the debts were satisfied. The county jury decided in favor of the Harrises, and the Blangeys, giving the usual security, appealed to