

The plaintiffs by their bills claim a moiety of the proceeds of the sale and earnings of the schooner *Beauty* from the defendant *Odom*; and they resist the claim of the defendants *Law & Harrison*, for any alleged disbursements made by them as ship's husbands. As a foundation for an injunction, the plaintiffs endeavoured to identify the proceeds of the vessel from *Odom* to the bank, so as to have them detained there. But in this they have failed; and therefore, can have relief as prayed only against the defendant *Odom*. I am also of opinion, that the defendant *Odom* is chargeable with interest from the time when it appears that the proceeds of the vessel reached this country, and were applied beneficially to his use, and ought to have been accounted for or paid to the other joint owner of the schooner.

Whereupon it is *Decreed*, that the auditor's report be and the same is hereby rejected. And it is further *Decreed*, that the defendant *John Odom*, pay or bring into this court to be paid to the plaintiff *John McKim, junior*, the sum of \$5,181 60, with interest from the 18th of June, 1827, until paid or brought in, together with his costs in this suit, to be taxed by the register. And it is further *Decreed*, that the bill of complaint, as against the defendants *George Law* and *William G. Harrison*, be and the same is hereby dismissed without costs. And it is further *Decreed*, that the bill of complaint, as against the defendants *William F. Anderson*, and *The President and Directors of the Franklin Bank of Baltimore*, be and the same is hereby dismissed with their costs, to be taxed by the register; the said costs to be paid by the defendant *John Odom*.

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 DEALE v. ESTEP.

The sheriffs, for the time being, of the several counties, are the executive officers of this court; and as such amenable to it.—It is the duty of the sheriffs to execute all process and orders issuing from this court.—A summons or *subpoena* issued by commissioners requiring a witness to attend and testify before them, under a commission to take evidence, is a process which must be served by the sheriff.—For the service of all process, which a sheriff may be required to serve, he is entitled to have his legal fees allowed and taxed as a part of the costs in the case; and may enforce payment accordingly.

THIS bill was filed on the 5th of November, 1830, by *Samuel Deale* against *Richard Estep* and *Henry A. Hall*, surviving administrators of *Rezin Estep*, deceased, and *The President, Directors*