

Ensuing," Greenfield produced his new commission at the August 1697 court. Although his securities appeared in court, no bond had been drawn up so that the justices ordered the securities to appear at the next court, the clerk in the meantime to draw up a bond in proper form.⁵²

In July 1698 Col. Addison represented to the Council that Greenfield "presses Men and Horses to carry his common praecepts and private Business up and down the Country and . . . contemns the Sheriffs place and saith he gets nothing by it." It was accordingly "thought fit that the said Mr. Greenfield be no Longer Continued in his said office." Shortly before this, as noted above, Greenfield, along with the justices and clerk of the court of Prince Georges County, had been presented by a grand jury of the Provincial Court for levying and receiving tobacco contrary to law. Apparently overlooked were the provisions of a 1692 act that no sheriff or under-sheriff should continue in office for more than two years from the time of first entrance into such office.⁵³

The second sheriff for Prince Georges County was William Barton, who, having produced his commission and *posse comitatus* at the June 1699 court, was admitted sheriff of the county; presumably he had resigned as justice. Barton had been recommended to the Council in November 1698 to succeed Greenfield, "having very well behaved himself and Shewed his Loyalty and Affection to his Majesty."⁵⁴ In the October 1699 court Barton was ordered by the justices to make demand of Greenfield that he pay over the sum of 10,820 pounds of tobacco adjudged by the Provincial Court on September 5, 1698 to be reimbursed to the county. When he refused to comply with the demand, it was ordered that the attorney general prosecute Greenfield for the return of such sum at the cost and charge of the county.⁵⁵ The disposition of this matter has been adverted to earlier.

There is little relating to the office of under-sheriff of Prince Georges County in the *Liber*, except a reference to the fact that at the June 1699 court Benjamin Berry was admitted to such office, having taken the oath of an under-sheriff and the other oaths appointed by act of Assembly.⁵⁶ Whether the court had a gaoler is not evident from the *Liber*.

The several commissions to the justices commanded the sheriff to give his attendance on the court days appointed, and, if need require, to have good and lawful men of the county present as a grand jury. By statute the sheriff was charged with publishing and proclaiming in the county all acts of Assembly and with seeing such acts firmly observed and kept, with summoning grand juries twice a year, and with keeping all prisoners committed to his care in any criminal case and persons taken "in Execution for debt or upon other mean process."⁵⁷ From the statutory schedules of fees it appears that it was the duty of a sheriff to serve writs or warrants and take bail bonds, to serve attachments and executions, to empanel juries, to serve subpoenas, writs of *scire facias* and citations, and to execute commissions of recovery. In some cases the sheriff was also apparently authorized to

52. *Infra* 227; 23 *MA* 135. The form of bond was not prescribed by statute until June, 1697. The justices were required to take new security each year, exercising care to take only good and substantial householders or freeholders as securities. 22 *id.* 504; 38 *id.* 105.

53. 23 *id.* 459; 13 *id.* 468. In 1699 the period for sheriffs was extended to three years. 22 *id.* 509.

54. *Infra* 490; 25 *MA* 27.

55. *Infra* 589, 613, 615-16.

56. *Infra* 490.

57. *Infra* 2, 187, 520; 13 *MA* 467, 477, 537; 22 *id.* 512. See also the statement by Karraker that "the colonial sheriff lacked two of the oldest and most obscure duties performed by the sheriff in England: the holding of his county court and of his tourn, or turn." *The Seventeenth-Century Sheriff: A Comparative Study of the Sheriff in England and the Chesapeake Colonies, 1607-1689*, 154 (1930).