

diction & . . . therefore the two Houses ought not to intermeddle in making an Act for it." ²⁹

The delegates further sought to prevent his reappointment and so limit the sheriff's term to a single year, according to the practice of England, apparently in a belief that one serving so brief a time would be more responsive to public feeling and would be less addicted to those "great absurdities and abuses" of which they so often complained.³⁰

Unfortunately the nature of the sheriff's office in Maryland, as it required the collection of large sums in tobacco, made so short a tenure impracticable. The sheriff had to hire numerous deputies, and he often gave credit to the poorer planters, paying their immediate obligations out of his own pocket. He was thus apt to lose money in his first year and to realize a profit only in the second or third year of his incumbency. Besides, the longer a sheriff served in this difficult office the more efficient he became.³¹

An act of April, 1662, which expired seven years later, forbade all reappointments; but a subsequent law of November, 1678, merely required a previous certificate of good conduct from the county court. Even this limitation, moreover, expired in October, 1686. So during the earlier proprietary period sheriff tenures varied: some had but a single year while others were reappointed annually for three, four, or five years. In June, 1692, however, the term became uniform. A sheriff might now serve two years in succession, and by an act of July, 1699, he could have three years, separate commissions to issue for each year.³² Under the Constitution of 1776 sheriffs were to be popularly elected for three year terms, but no sheriff could succeed himself.

The sheriff's income arose from tobacco fees and a salary, for

²⁹ *Ibid.*, II, 197. The same method was proposed in November, 1709, under crown government, by a conference of both houses; but though the delegates concurred with this report, the Upper House ignored it (*Ibid.*, XXVII, 388, 391-92).

³⁰ Complaints against the sheriffs were a regular feature of Assembly sessions throughout colonial times. Acts were passed to correct their "ill practices," the Governor admonished them by proclamation, and the Lower House called erring officers before it for rebuke and punishment. Of course much of this was because the sheriff collected taxes and fees among a people many of whom, as Gov. Sharpe observed, would as soon part with their lives as their money.

³¹ Cf. Stephen Bordley to Hercules Coutts, Dec. 11, 1756, quoted in the text below.

³² On March 20, 1701/2, several sheriffs prayed the Upper House for a still longer term. This petition the members "well approved of and thought reasonable," but the delegates rejected it the same day (*Ibid.*, XXIV, 217, 247).