

of the same. In a few instances sheriffs were ordered to publish royal proclamations from England, such as a proclamation against "Prophaneness and Immorality."⁶³

As to some orders of the Governor and Council the sole duty of the sheriff was to make publication or give notice or serve.⁶⁴ Others imposed upon the sheriffs the duty of collecting information. Upon several occasions they were to obtain from the constables in their respective bailiwicks the list of taxables and to take care to produce a list of the supernumerary tithables before the justices at the June County Court and make oath to the same, so that due credit might be given the counties and parishes where such tithables lived; the lists so proven were to be returned to the Council.⁶⁵ In February 1696/7 the sheriffs were used to obtain expressions of opinion as to when the Maryland fleet should sail. In May 1697 they were to ascertain the number of ships built or building and the number of ships and seamen in each county.⁶⁶ In August 1697 they were directed to compile and return an account of "what Romish Priests and Lay Brothers are Resident within their respective Counties and what Churches Chappells or other places of worship they have" and the same information with respect to "Quakers and other Dissenters from the Church of England."⁶⁷ In fact, the sheriff was so occupied in delivering "packetts and Expresses" that in November 1698 in the House of Delegates there was proposed an allowance of 1,000 pounds of tobacco per annum to the sheriff to "defray the charge of packetts and Expresses that shall come to their hands to be Expedited," in lieu of any other allowances.⁶⁸

In general the several sheriffs constituted the executive arm of the Governor and Council. For instance, in February 1696/7, the sheriff of Prince Georges County was ordered to take into custody any seamen interfering with the transfer of tobacco from one ship to another sailing with the fleet. In September 1697 the sheriffs were ordered to make "diligent Search and pursuit . . . by way of hue and Cry" after some deserters from the West India squadron and "to Seize and apprehend them or any other wandring Seamen and Saylor." In several cases persons were ordered brought before the Council for contempt in not furnishing a horse or boat pursuant to warrant of impressment.⁶⁹ A sheriff might be ordered by the Governor and Council to bring persons informed against as having correspondence with enemy aliens or notorious offenders before a magistrate or justice to be examined and, if found to offend, to be bound over to the Provincial Court, together with the witnesses.⁷⁰

Only the sheriff could raise the *posse comitatus* in his county and, under the laws of England, a sheriff might depart his county only once a year to make up his account at the Exchequer. However, as noted by the crown law officers, in Maryland "by the constant practice . . . they have Ordinaryly used to depart and goe out of their Counties, and We have not known any Evill thereby." However, the Council in October 1696 ordered that in the future "no Sheriffe depart or leave his County (during his Shrivalty) unless particularly sent for by his Excellency the Governor

63. 20 *id.* 339; 23 *id.* 444. See also the threat that sheriffs not making proper returns would be removed from office. 20 *id.* 472.

64. 23 *id.* 3, 4-5, 381.

65. 20 *id.* 445; 23 *id.* 109-10. The sheriffs of several counties failing to make returns were to be summoned to appear at the next Provincial Court to be proceeded against by the crown law officers for contempt. 20 *id.* 487-88.

66. 23 *id.* 30-31, 104-05.

67. 23 *id.* 206. See also the inquiry in St. Marys and Charles Counties as to how many persons had been brought over to the Roman Catholic persuasion in the last year. 23 *id.* 470.

68. 22 *id.* 229, 231.

69. 23 *id.* 72-73, 215, 466-67.

70. 23 *id.* 304.