

Georges County. A copy of this commission constitutes the first entry made in its records when the court held its first session at Charles Town on April 23, 1696.⁷ This town, when part of Calvert County, was known as Mount Calvert; its name was changed by order of the justices.⁸

III. LIBER A

The records of Prince Georges County Court for the period April 23, 1696 to October 20, 1699 are contained in a volume of 517 pages ($9\frac{3}{8} \times 14\frac{3}{4}$ inches), designated as *Liber A* (hereinafter referred to as the *Liber*), preserved among the court records for the colonial period at the Hall of Records in Annapolis, Maryland. The present publication makes available the complete text of the manuscript volume with the exception of a bound-in contemporary index which has no present value or interest.

It was customary for many colonial courts of record to keep rough minute books which were later transcribed into engrossed minute and/or judgment books. Apparently the practice in Maryland was lax for in September 1694 Governor Nicholson proposed that:

A Law be made for a Stricter Method to be taken in keeping all records within this province and that the Justices of the Provinciaall and County Courts doe Cause the minutes of every dayes proceedings together with the Judgments that day passed to be fairly transcribed by the Clerke of the Court against the next Morning the same to be openly read in Court before the Court proceed to any further Business that day.¹

No legislative action was taken upon this gubernatorial proposal, one facet of Nicholson's program for tightening up the administration of justice, and in the next year resort was had to conciliar order. In October 1695 the governor asked some of the eminent lawyers in the province for their opinion whether a dissenting judge was required to give some reason for his dissent and whether the same should be entered in the record. The lawyers were unanimously of the opinion that "any Judge may Enter his Dissent without shewing any Reason, and that such Dissent ought to be Enter'd in the Clerks Minute Book fair writ out, but not in the Record." It was thereupon ordered in Council that "the same Rule be observed in all and singular the Courts of Justice within this Province, and that the Clerks of the said Courts be constantly obliged to fair write out every Courts Minutes to be safely kept among the rest of the Record Books, it being adjudged by the Lawyers here that the same will be of very great use in severall respects."²

It was not until 1697 that the gubernatorial persistence was rewarded by an act of Assembly directing that, in order to prevent any errors in entering judgments and orders of court, the minutes and entries of each day be read over the first thing the next morning in open court by all courts of record so that any mistake might be then and there rectified. To this end the clerks of such courts were to draw up a fair copy of the minutes of the previous day and to present it for examination to the justices. The latter were also to appoint two of their brethren at the beginning

⁷ *Infra* 1. See 20 *MA* 86 for the provisions in Nicholson's commission authorizing the establishment of courts with the advice and consent of the Council and the appointment of "Judges Justices of the peace and other Necessary Officers and Ministers... for the better Administration of Justice and putting the Laws in Execution...."

⁸ *Infra* 5. For early (1684) references to setting up a town at Pigg Point upon Mount Calvert Manor on the Patuxent River see 13 *MA* 22, 26, 83-84, 86, 112.

1. 19 *MA* 37.

2. 20 *id.* 314.