

may Enter his Dissent without showing any Reason, and that such Dissent ought to be Enter'd in the Clerks Minute Book fair writ out, but not in the Record, And thereupon Ordered that the same Rule be observed in all & 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.

12. THE JUDGES OF THIS COURT

The men who assembled and heard the first case at Annapolis on May 17, 1695, came with the advantage of long judicial experience. Col. George Robotham, of Talbot County, had been a justice of his county from 1681 to 1691, and had been made a justice of the provincial court in April of 1691. He was in England in 1693.¹ Col. Charles Hutchins, of Dorchester County, had been a justice of the county court of his county since 1674. Col. David Brown had been made a justice of the Somerset County court in 1676, and in 1680 had been designated in the commission as one of the quorum. Col. John Addison, of Charles County,² one of the most highly respected men in the province, and thus one of the best qualified for judicature, had been since 1678 a justice of the provincial court. Thomas Brooke was in the commission for the Calvert County court, and designated a member of the quorum in 1674; and he was of the quorum in the three succeeding commissions beginning with that of 1679. Other justices whose names appear on the later lists of those holding the court had had equally long judicial careers. James Frisby had been commissioned as a justice of the Cecil County court in 1676. When appointed to the council in 1693, he, too, was found to have gone to England.³ He was a man of wealth and distinction, and it was he who left the wealthy widow, Ariana Van der Heyden Frisby, who subsequently married Thomas Bordley, and still later Edmund Jenings. Francis Jenkins, who succeeded David Brown on the council, had been in the commission for the Somerset County court as early as 1676, and in 1679 and 1680 had been designated a member of the quorum. Jenkins, said Sir Thomas Lawrence,⁴ "is a man of the best sence and Estate &c. in Somerset County, who hath borne all offices there and is proposed in the room of David Brown deceased." William Coursey, of Talbot County, had been in the commission for his county court, and of the quorum, as early as 1675. Henry Jowles was of the quorum of his county court as early as 1679, and of the provincial court in 1687. Kenelm Cheseldyne had been attorney general as early as 1676, and had sat as a justice on the St. Mary's County court from 1686 to 1688.

From 1697 to 1727 the councillors were qualified as judges by a special

¹ *Archives*, XX, 16.

² *Md. Hist. Mag.*, II, 170.

³ *Archives*, XX, 16.

⁴ *Md. Hist. Mag.*, II, 170.