

form of Government of the State of Maryland," The manner in which this new government was organized, and when, and how its principles began to operate; should also be recollected.

The General Assembly, to be called together under the new Constitution, and which met, for the first time, on the 5th day of February, 1777, was charged with the creation, and establishment of the executive, and judicial departments. The Governor and Council were elected on the 14th February, 1777, but did not qualify until the 20th of March following. After which, the Council of Safety, which had exercised both executive and judicial functions in co-operation with the General Assembly, was dissolved; and, all its authority, except the powers of banishment, was lodged with the newly formed executive. The Chancellor, the Judges of the General Court; and of the Admiralty Court; the justices of the peace; who formed the County Courts; and the Attorney-General, were appointed by the Legislature on the 3d of April, 1777. An Act was passed declaring, that the Courts of justice should be opened on the first of July in the same year; but the Court of Chancery was not, in all respects, accessible to suitors until some time after. It was determined, at this first Session of the Assembly, that the Court of Appeals should be constituted of five distinct Judges, who, owing to the circumstances of the State, were not appointed by the Legislature until the 12th of December, *1778; but the Act authorizing them to appoint their clerk **629** did not pass until the 5th of May, 1780. Hence it was not until after that period, that the judicial department could be said to be completely, and in all its branches, prepared and ready for the administration of justice. (*m*)

But, this Government was framed during the heat of a most distressing and perilous war; when the movements of the best established political institutions might have been interrupted by the rude collisions of the times. It could not, therefore, be supposed, that every principle of the newly written Constitution was, at once, fully to operate; and, that all its provisions were to be, from the very outset, exactly observed. Maryland, never having been the immediate seat of war, during our Revolutionary conflict, had not felt any of those dreadful calamities, that are always exhibited on such a theatre. But, the people were exposed to frequent predatory incursions; and, in other respects, had their full share of burthens and sufferings.

After the disastrous battle of Camden, when the enemy, flushed with victory, began his march towards this State, all its energies were aroused, and all its resources called forth to meet and repel

(*m*) For what is stated in this paragraph, see the Votes and Proceedings of the two Houses of the General Assembly; and the Acts of February, 1777, ch. 8 & 15; October, 1777, ch. 19, and March, 1780, ch. 23.