

with its occasional appellate Court of Delegates.¹ If there has ever been a revolution which made a clean sweep of institutions, this was not one of the kind.

The constitutional convention of 1776, called by the provincial convention of July 3, 1776, met on the following August 14, at Annapolis. A committee appointed to draft a declaration of rights took up the correction of defects which were felt to exist in the judicial system, and had been discussed in years past, and, on October 31, 1776, reported the two clauses, among others: article 6, that the legislative, executive and judicial powers of government ought not to be vested in the same man or body of men, and article 30, that the judges, the Chancellor and other officers, should hold their offices during good behavior and hold only one office each. The first of these principles, that concerning the separation of governmental powers, was not so obvious at that time as custom has made it appear since; it was adopted in the convention by a margin of only one vote, thirty to twenty-nine, and it found no place in most of the other state constitutions adopted at about the same time.

The original draft of the constitution itself contained the provisions for organization of the courts which were finally adopted. By article 56, it was provided,

That there be a Court of Appeals, composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive, in all cases of appeal, from the General Court, Court of Chancery, and Court of Admiralty: That one

1. 1 Harris & McHenry, 418 and 512.