

person of integrity and sound judgment in the law, be appointed Chancellor: That three persons of integrity and sound judgment in the law, be appointed judges of the Court now called the Provincial Court; and that the same court be hereafter called and known by the name of *The General Court*; which Court shall sit on the western and eastern shores, for transacting and determining the business of the respective shores, at such times and places as the future Legislature of this State shall direct and appoint.

Article 40 provided that all judges should hold office during good behavior; and by article 48 they were to be appointed by the Governor by and with the advice of the Council. But it will be noted that these provisions prescribed no particular number of judges for the Court of Appeals, and no basis of selection, geographical or otherwise. All such details were left in the first instance, at least, to the determination of the Assembly, by a provision in article 61 of the constitution, that,

for filling in the first instance only all the offices in the disposition of the Governor, with the advice of the Council, the House of Delegates may also propose to the Senate a list of all officers in the appointment of the Governor, with the advice of the Council, and on the Senate concurring therein, in the recommendation of any of the persons therein mentioned, such persons so recommended shall be commissioned by the Governor.

In case of a disagreement there was to be a joint ballot of the two houses.

The first session of the General Assembly under the constitution was held in February, 1777, and the organization of the government was then completed in the main. The forms of commissions to be issued to judges and other officers by the state government were fixed by a statute, chapter 5 of