

olis, undated, but written apparently in or before 1785, said, "There is, my best belov'd, but little probability of the court rising this week—we have not enter'd on business as yet—to-morrow we expect to begin, but it is doubtful to me whether we shall even commence business this week".¹⁴ There seems to have been, still, comparatively small importance attached to the disposal of appellate business. Then, as before the Revolution, cases rested on the docket undisturbed for years; and the last of the seven carried over from the May term of 1776 was not disposed of until 1788.

It was on May 12, 1783, that the first argument was heard after the Revolution, that in the case of Pellett and others v. Robert Long's Lessee. All five judges had been present since May 7, but for reasons not apparent nothing was done in the earlier days. A preliminary question in this first case was whether the appeal could be entertained after the dismissal by the court of the Governor and Council seven years before, and after the passage of certain acts of assembly relating to the case; and it was held that it could not be entertained.¹⁵ The second argument was in Upton Scott v. Eleanor Toogood, on a petition for freedom, and that was heard on May 14, 1783.¹⁶ Jeremiah Townley Chase, who was destined to become Chief Judge of the court in 1806, appeared for the petitioning woman.¹⁷

14. Maryland Historical Magazine II, 259.

15. 1 Harris & McHenry, 531, 535.

16. 2 Harris & McHenry, 26.

17. It is noteworthy that throughout the eighteenth century, and somewhat beyond, negroes petitioning to be declared free commanded the services of some of the best lawyers at the bar for their cases, and received the fullest measure of care and consideration from