of court, shall be authenticated by the signature of the clerk, and the seal of the court, if there is one.

3. Whenever a court has not a seal and is not bound by law to have one, its writs and other acts may be authenticated by the signature of the clerk alone. Such clerk, in that case, except in cases of writs addressed to a public officer, shall annex to each document a certificate that the court has no seal, and is not bound by law to have one, which certificate must be signed by some judge of the court.

4. It shall be the duty of the clerk of every court to keep a docket, or list of the cases pending in the court; which shall exhibit all the proceedings taking place in the cause. To take charge of all records and papers, and on payment of his fees, give copies of them whenever required, to sign all writs and other acts of the court, and to do such other duties as may be required of him by law, or rule of court.

5. It shall be the duty of every court, at each term or session, to dispose of all questions of mere law depending before them, and then to cause a jury to be provided to try questions of fact and mixed questions.

6. Every court shall have power to cause to be arrested and brought before them by writ of arrest, or otherwise, any person who may interrupt or disturb its proceedings, resist the execution of a writ or writs issued by its authority, refuse or neglect to obey its lawful summons, or that of the sheriff to attend upon its sittings, or refuse or neglect to perform the duties, for the performance of which any such person may have been summoned, or who being summoned and having appeared, shall depart from the court without leave. But this section shall not be construed to extend to defendants in actions, who may disobey a summons, in cases in which a writ of arrest is not expressly authorized against them in the second chapter.

7. When any person is brought before the court under the last section, it shall be lawful for the court to punish him or her by fine and imprisonment, setting in the stocks or otherwise in the discretion of such court.

CHAPTER IX.

OF JURIES.

1. Every jury shall be composed of twelve jurymen, the consent of three-fourths of whom, shall be necessary to a verdict.

2. Every jury shall, on the demand of either party, be chosen in the following manner. Twenty four names, of persons qualified to be jurors in the case, shall be put into a box, and twenty of them drawn by lot; each party may strike four from the list, and the remaining twelve shall try the cause. Should the parties strike the same persons, the court shall reduce the number to twelve.

3. The foreman of every jury, shall be appointed by the court.

4. The foreman of every jury, shall deliver their verdict; but any party to the action, may demand the opinion of each juryman, in order that he may ascertain if the verdict has the assent of three-fourths.

5. Every juryman, immediately before the commencement of the trial, shall make a solemn promise or affirmation, to the effect prescribed in the fourth section of the seventh chapter; or else that he will well and truly inquire of the debt due to, or the damages sustained by the plaintiff. The latter form applies to inquiries after judgment by default or otherwise.

6. No person can be a juryman in any case in which he has, directly or indirectly, a pecuniary interest, or in which any ancestor, descendant, brother or sister of his or his wife, or the husband or wife of any such ancestor, descendant, brother or sister, has, directly or indirectly, such interest, or in which any uncle, aunt, nephew, niece, or first cousin of himself or his wife is a party, or wife to a party, or in which he has acted as agent or assistant, in any way for either party, or on the merits of which he has expressed any opinion, or in which he has previously acted as a juryman or arbitrator. Either party may object to the name of any person, disqualified from serving by this section, being put into the box; and the facts, if denied, may be proved by the oath of the juryman proposed, or by any other sufficient evidence. The court may also exclude a person from serving on a particular jury, for any reason which in the opinion of triors affects his impartiality, or on his own application may for similar reasons excuse him. But in cases of exclusion, except for the specific causes above mentioned, the court shall, if required so to do by either party, cause three persons

Maryland Historical Society

The Maryland State Colonization Society Papers

XIII. Colonization Pamphlets

1. The Declaration of Rights,
The Constitution of the
State of Md. in Liberia
(rough draft, engrossed copy, printed copy)