AN ORDINANCE

TO PROVIDE FOR THE BETTER ADMINISTRATION OF JUSTICE IN THE COLONY OF MARYLAND IN LIBERIA.

Be it enacted and ordained by the Maryland State Colonization Society, That there shall be a person appointed by the Maryland State Colonization Society, Chief Justice of Maryland in Liberia, who shall hold his office during good behaviour, but may be removed by the appointing power, in its discretion, after conviction of official misconduct, or any crime, or great misdemeanour, on a trial before a jury, in the Court of Monthly Sessions, hereinafter mentioned; and in case of such conviction, may also be suspended from the exercise of his office, by the agent or Governor, in his discretion, until the pleasure of the appointing power shall be known. The Chief Justice of Maryland in Liberia, shall have all judicial powers and authority which are not expressly prohibited to him, or exclusively conferred upon others by law; but he shall not, by virtue of his office or otherwise, during his continuance in office, act as a justice of the peace, except in criminal matters, in which he shall have, by virtue of his office, all the powers of a justice of the peace.

2. *And be it enacted and ordained*, That, until otherwise provided by law, the present Court of Monthly Sessions shall continue. It shall be held on the first Monday of every month, and shall have original jurisdiction of all civil and criminal cases, other than those committed to the Orphans Court, or the justices of the peace, and shall have appellate jurisdiction in all civil cases in which they have not original jurisdiction, unless otherwise provided by law. It shall also have jurisdiction to try by a jury any charge of official misconduct brought against the Chief Justice of Maryland in Liberia, and in case of conviction to certify the fact, together with a full record of the charges, proceedings, and conviction, to the agent or Governor, or acting Governor for the time being, to enable him to decide upon the propriety of suspending the convicted Chief Justice; which certificate and copy the agent or Governor, or acting Governor, shall, as soon as practicable, transmit to the Maryland State

Colonization Society, together with his reasons for suspending the Chief Justice, should he have so done.

3. *And be it enacted and ordained*, That the present Clerk of the Court of Monthly Sessions shall continue in office until the expiration of the term for which he has been appointed; at which time, and in every third year thereafter, the members of the court for the month of January shall appoint, by a majority of voices, the Clerk of the Court, to act as such for the space of three years succeeding the date of his appointment. He shall keep a record of the proceedings of the Court, and of all judgments pronounced by it, and shall have the custody of its seal. He shall sign and seal all its writs and summonses, and shall take charge of all papers in any cause before the Court, subject to its order, and of the original commissions of the Chief Justices of Maryland in Liberia; and also of all orders removing or suspending any Chief Justice. Whenever required so to do, he shall give copies, under the seal of the Court, of all judgments, or other records or documents in his office. He shall perform all duties similar to any of those abovementioned, which shall be required of him by the Court.

4. *And be it enacted and ordained*, That there shall be established a court called the Orphans Court, which shall have authority to oversee the conduct of all administrators, guardians, and assignees of insolvent debtors, and shall have all such jurisdiction as is or may be committed to it by law. Until otherwise provided, the jurisdiction of the Orphans Court shall extend throughout Maryland in Liberia. The Chief Justice of Maryland in Liberia shall be sole judge of the Orphans Court, and the Register of the colony its clerk; but whenever the colony shall be divided into counties, there shall be an Orphans Court in each county, and provision shall be made by law for appointing the judges and clerks. In that case, the Chief Justice of Maryland in Liberia shall continue to be the judge of the Orphans Court in the county in which he may reside.

5. *And be it enacted and ordained*, That the judge of the Orphans Court shall have authority to fix the commissions of all administrators, guardians, and assignees of insolvent debtors, as to him may seem just, allowing in no case more than ten per centum; and so much of the eighth section of the Ordinance, entitled "An Ordinance for the temporary government of the Territory of the Maryland State Colonization Society in Africa," as gives that power to the agent, shall be, and is hereby, repealed.

6. *And be it enacted and ordained*, That the Chief Justice of Mary-

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)