land in Liberia shall be the presiding judge of the Court of Monthly Sessions, and shall have all the judicial powers and authority vested in the agent or Governor by the Ordinance, entitled "An Ordinance for the temporary government of the Territory of the Maryland State Colonization Society in Africa," and it shall be the duty of all justices of the peace to send all persons accused or convicted of any offence, whom by the said Ordinance they are directed to send, to the agent or to the Chief Justice; and the Chief Justice shall have the same power of committing to the public farm which the agent or Governor now has.

7. *And be it enacted and ordained*, That in case of the absence of the Chief Justice of Maryland in Liberia from the colony, or of his incapacity to act by reason of permanent illness, or of his suspension from the duties of his office, or of the trial of any cause in which he may be a party, or otherwise interested, or which may be an appeal from his decision as judge of the Orphans Court, or as a justice of the peace, or in which he may have been employed as a practitioner at the bar; and during all vacancies in the office, after it shall have been once filled, the assistant agent, or, if there shall be no assistant agent, the Governor or acting Governor shall preside in the Court of Monthly Sessions; and in case of permanent illness, suspension, or vacancy, shall perform all the other duties of the office of Chief Justice of Maryland in Liberia.

8. *And be it enacted and ordained*, That until some person shall have been appointed Chief Justice of Maryland in Liberia, and shall have produced and read his commission in the Court of Monthly Sessions, and shall have solemnly in open court made affirmation that he will well and truly perform the duties of the office of Chief Justice of Maryland in Liberia, impartially, and without fear, favour, or affection, and a certificate of such affirmation shall have been endorsed upon such commission, and signed by such Chief Justice and by the Clerk of the said Court, and the said commission so endorsed shall have been delivered to the said Clerk, to be by him kept among the records of the said court, the Governor for the time being shall continue to have all the authority and powers, and to perform all the duties assigned by this Ordinance to the office of Chief Justice of Maryland in Liberia.

9. *And be it enacted and ordained*, That no future vacancy in the office of Chief Justice of Maryland in Liberia shall be considered filled, until all the ceremonies prescribed in the last section upon the first appointment shall have been performed, and no suspension

from such office shall be regarded as at an end, until a duly authenticated copy of the Resolution of the Maryland State Colonization Society, putting an end to such suspension, shall have been produced in the Court of Monthly Sessions, read, and filed with the Clerk, to be by him kept among the records of the said Court.

10. *And be it enacted and ordained*, That there shall be two Associate Judges of the Court of Monthly Sessions, who shall be the justices of the peace in rotation, according to seniority; they shall be notified by the Chief Justice, or acting Chief Justice, to attend, two at every Court, in their turns, so that all the justices of the peace shall fill the station of Associate Judges, in rotation, for one court at a time. If any case shall be for trial, which shall have been before either of the Associate Judges for that term as a justice of the peace, or in which either of them shall be a party, or otherwise interested, such Associate Judge shall, during the trial of such case, retire from the bench, and the Chief Justice, or acting Chief Justice, may call any other justice of the peace to fill his place, or the case may be tried by two judges only.

11. *And be it enacted and ordained*, That, until the subject is provided for by law, the Court of Monthly Sessions shall have authority to make rules regulating the mode of admitting and controlling persons as practitioners at law; provided that no person once admitted shall be discharged, except for some immoral action or habit proved to the satisfaction of the Court, after the fair hearing of evidence, and such argument as the accused may choose to make. Every man, however, shall be at liberty to appear in his own case, if he think proper so to do.

12. *And be it enacted and ordained*, That the twenty-eighth section of the Ordinance, entitled "An Ordinance for the temporary government of the Territory of the Maryland State Colonization Society in Africa," shall be, and it is hereby, repealed, but such repeal shall not take effect until the first Chief Justice of Maryland in Liberia shall have fully taken possession of his office.

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)