

Deeds continued to be filed for record in the Provincial Court and in its successor the General Court, until the latter was abolished in 1805. As a matter of preference purchasers of land who were non-residents of the county in which it was located usually recorded their deeds in the more centrally located Provincial Court office.

Without entering into a detailed discussion of the evolution in Maryland of its court of the highest appellate jurisdiction, which during the entire colonial period was composed of the same men, who acting in various other official capacities, formed the Upper House of the Assembly and the Council, it may be said that a definitely organized body under the name of the Court of Appeals, first came into existence in 1694. Until 1694 the highest appellate court of the Province was the Upper House, sitting as such in a judicial capacity. Appeals from decisions of the Provincial Court down to this time, therefore resulted in the anomalous situation, in which the same men heard the appeal sitting as the Upper House who had previously decided the case below in the Provincial Court; and it is of interest to note that they not infrequently reversed their own decisions rendered in the Provincial Court, as is shown by the cases cited later. In 1694, however, the new court known as the Court of Appeals, was organized, and became the highest appellate body in the Province. While the newly created Court of Appeals was composed of the same men who formed the Upper House sitting as a court, an important change now took place in the composition of the Provincial Court, which thereafter drew its members in great part from outside this little group, although always a few members of the higher court were found sitting on it.

The story of the development and history of the Court of Appeals has recently been ably written by the Honorable Carroll T. Bond, the present chief judge of this same court. The discovery a few years ago by Judge Bond of an old manuscript volume containing the proceedings of this court from 1695 to 1729, with some breaks, has been a matter of lively interest to all students of the history of American law. It is the earliest and most complete record that has been preserved in any colony of proceedings by the court of the highest appellate jurisdiction. It is now being prepared for publication by the American Historical Association under the editorship of Judge Bond. It was selected by a distinguished group of those interested in American legal history as the first volume of a series which it is proposed to publish under the auspices of the Association, covering the historical development of the law in the American colonies. With its appearance the attention of all students of early American jurisprudence will be focussed upon the judicial system of colonial Maryland. It is therefore not amiss to note here some of the records of other Maryland courts that are available for students.

Down to the year 1661 equity cases seem to have been heard by the Governor and Council sitting in the Provincial Court, as cases of this kind are scattered through the records of this court, and no mention of a separate chancery court as such has been found. Prior to this date among the numerous offices conferred upon the several governors when they were commissioned, was that of chancellor, yet no instance of a governor considering an equity case alone as